

APR 20 1994

Docket Nos. 030-04530
030-06923
EA No. 94-001

License Nos. 19-00915-03
19-00915-06

U. S. Department of Agriculture
Agricultural Research Service
ATTN: E. E. Finney, Jr.
Acting Administrator
Office of the Administrator, Room 302-A
Administration Building
Washington, D.C. 20250-0300

Dear Mr. Finney:

Subject: NOTICE OF VIOLATION (NRC Inspection Report Nos. 030-04530/92-011,
92-012, 93-001 through 93-014 and 030-06923/93-001 through 93-004)

This letter refers to your February 24, 1994 correspondence, in response to our
January 24, 1994 letter.

Thank you for informing us of the corrective and preventive actions documented in your
letter. These actions will be examined during a future inspection of your licensed program.

No reply to this letter is required. Thank you for your cooperation in this matter.

Sincerely,

Original Signed By:
Mohamed M. Shanbaky

Mohamed M. Shanbaky, Chief
Research and Development Section
Division of Radiation Safety
and Safeguards

9405020081 940420
PDR ADOCK 03004530
C PDR

cc:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
U.S. Department of Agriculture
Agricultural Research Service
ATTN: John T. Jensen, Director
Radiological Safety Staff
Ivy Lane
Greenbelt, MD 20770
State of Maryland

RETURN ORIGINAL TO
REGION 1

IE-07

280017

OFFICIAL RECORD COPY - S:\PENDING\USDA.RL - 04/20/94

U.S. Department of Agriculture
Agricultural Research Service

-2-

bcc:
Region I Docket Room (w/concurrences)

~~DRSS:RI~~
Ullrich/amw

04/14/94

~~DRSS:RI~~
Dolce

04/17/94

DRSS:RI
Shanbaky

MS
04/20/94



FEB 24 1994

CERTIFIED--RETURN RECEIPT

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Gentlemen:

This is in reply to a "Notice of Violation" which was enclosed with a letter from Thomas T. Martin, Regional Administrator, dated January 24, 1994. The corrective and preventive actions that the Department of Agriculture (USDA) has taken and plans to take in response to each violation is detailed below.

1. Failure to secure radioactive material against unauthorized removal at a temporary job site in Waldron, Arkansas.

The nuclear gauge users from the Waldron and Little Rock, Arkansas, offices received refresher radiation safety training conducted by a gauge manufacturer. The Soil Conservation Service (SCS) issued a report of the accident to all gauge users which emphasized:

- a. the importance of controlling gauges during their use at temporary job sites,
- b. updated emergency procedures for gauge accidents,
- c. personnel safety performance standards for gauge users and their supervisors, and
- d. recent gauge radiation safety and transportation guidance prepared by the Radiological Safety Staff (RSS).

In response to this accident and other violations identified by RSS at SCS locations, the USDA Radiation Safety Committee (RSC) has required that SCS conduct a comprehensive training program for gauge users and State Radiation Protection Officers (SRPO). The training program requires that gauge users who received radiation safety training prior to 1988 attend a one-day radiation safety training course, and SRPO's attend an advanced radiation safety training course conducted by a gauge manufacturer prior to December 31, 1994. Also, SRPO's must attend a one-day training course in May 1994, conducted by RSS, that will focus on USDA radiation safety program requirements. SRPO's must provide a one-day workshop for gauge users within their State on internal procedures for complying with USDA radiation safety program requirements.

9403110232
FDR

9403110232

MAR - 3 1994

2. Failure to test chemical fume hood airflow velocity at the required frequency.

RSS will submit a request to amend the USDA's Nuclear Regulatory Commission license within 60 days to change the required testing frequency from quarterly to annually. This frequency is in compliance with the Occupational Safety and Health Administration standards and USDA safety guidelines.

3. Failure to perform laboratory contamination surveys at the proper frequency.

The individual laboratories in which these violations were identified have performed the required surveys and have submitted the required quarterly reports to RSS. Also, the Location Radiation Protection Officers (LRPO's), at these and all other locations where laboratory contamination surveys are required, have attended a one-day training course conducted by RSS on USDA radiation safety program requirements which included review of laboratory survey requirements. LRPO's will include review of laboratory survey records in their annual audit of the location radiation safety program.

4. Failure to evaluate radioactive materials in effluent releases and bioassay measurements.

RSS has evaluated the bioassay measurements and incinerator effluent reports and has determined that regulatory limits have not been exceeded. USDA will develop programs for evaluating effluent releases and bioassay measurements as part of the Performance Improvement Plan which will ensure timely review of measurements and reports by RSS.

If you have any questions, please contact me on 202-720-3658 or John Jensen, the USDA Radiation Safety Officer, on 301-344-0193.

Sincerely,

EEFINNEY, JR

E. E. FINNEY, JR.
Acting Administrator

cc:

T. Martin, NRC ✓
P. Johnson, SCS
L. Smith, NPS

94 MAR -3 P2:29

RECEIVED-REGION