

DCD/DCB

APR 19 1991

University of Minnesota
ATTN: Dr. Nils Hasselmo
President
410 Church Street, S.E.
Minneapolis, MN 55455

License No. 22-00187-46
Docket No. 550-00842

Gentlemen:

This refers to the special safety inspection conducted by Messrs. James L. Lynch and Bryan A. Parker of this office on March 25, 1991, of activities authorized by NRC Byproduct Material License No. 22-00187-46 and to the discussion of our findings with Mr. Pat Spellacy and other members of your staff at the conclusion of the inspection.

The purpose of the inspection was to review the circumstances surrounding the inadvertent loss of 500 microcuries of phosphorus-32 and 250 microcuries of sulfur-35 on February 8, 1991, which you reported to this office on February 11, 1991. The inspection consisted of a selective examination of procedures and representative records, observations, independent measurements, and interviews with personnel.

During this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice. A written response is required. Both of the apparent violations described in the enclosed Notice are repeat violations that were identified during our February 26-28, 1990 inspection which included a review of the circumstances surrounding an inadvertent loss of phosphorus-32 and sulfur-35. Violation No. 1, the failure to control radioactive materials, could be classified at Severity Level III in accordance with Supplement IV(C)(11) of the "General Statement of Policy and Procedures for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1990). However, based on the small amounts of materials involved and the low safety significance, the violation has been classified at Severity Level IV.

Although the violations are classified at Severity Level IV, the NRC is still concerned over the repetitive nature of the loss of control of licensed materials and the apparent ineffectiveness of your corrective actions to preclude recurrence of the violations. Therefore, in response to the attached Notice of Violation, please describe why your proposed corrective action is expected to be more successful in preventing future or similar violations.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter, the enclosure, and your response to this letter will be placed in the NRC Public Document Room.

9104230228 910419
REG3 LIC30
22-00187-46 PDR

IE07
11

APR 19 1991

University of Minnesota

2

The response directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

John A. Grobe, Chief
Nuclear Materials Safety
Branch

Enclosure: Notice of Violation

cc w/enclosure:
DCD/DCB(RIDS)

bcc w/enclosure:
Minnesota Pollution Control Agency
J. Lieberman, OE

RIII
PARKER/da
04/15/91

yes
RIII
LYNCH
4/16/91

yes
RIII
CANIANO
4/16/91

RIII
LECKUS
4/16/91

yes
RIII
PEDERSON
4/16/91
Coordinated
w/ Del Medico
4/8/91

RIII
GROBE
4/16/91