

NOTICE OF VIOLATION

University of Massachusetts
Amherst, Massachusetts 01003

Docket No. 030-00761
License No. 20-00882-03

During an NRC inspection conducted from August 5, 1996 to August 28, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600, the violations are listed below:

- A. 10 CFR 20.1501 requires that each licensee make or cause to be made surveys that may be necessary for the licensee to comply with the regulations in Part 20 and that are reasonable under the circumstances to evaluate the extent of radiation levels, concentrations or quantities of radioactive materials, and the potential radiological hazards that could be present.

Pursuant to 10 CFR 20.1003, survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation.

10 CFR 20.1502 requires that each licensee monitor exposures to radiation and exposures at sufficient levels to demonstrate compliance with the occupational dose limits of this part. 10 CFR 20.1502(b)(1) requires each licensee to monitor the occupational intake of radioactive material and assess the committed effective dose equivalent to adults likely to receive, in 1 year, an intake in excess of 10 percent of the applicable ALI(s) in table 1, Columns 1 and 2, of Appendix B to part 20.

Contrary to the above, on July 24, 1996 the licensee did not make surveys to ensure compliance with 10 CFR 20.1204 (a)(1), which requires the licensee to take suitable and timely measurements of concentrations of radioactive materials in air in work areas. Specifically, the licensee did not take suitable and timely measurements of the concentrations of radioactive material in air in the Room 17, Hasbrouck building work areas after it was suspected that an airborne release of radioactive material occurred.

This is a Severity Level IV violation

(Supplement IV).

- B. Condition 30 of License No. 20-00882-03 states: "Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below." Included in the listed documents are an application dated January 25, 1991 and a letter dated December 27, 1990.

Page 3.1 of the Radionuclide Use Policy and Program, III, Policy submitted with the letter dated December 27, 1990 states: "All operations involving the use of radionuclides in any chemical or physical form, will be conducted in such a manner as to ensure that exposure to radiation is 'as low as reasonably achievable,'

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"Operations involving the use of radioactive material shall be planned so that the limits established by the Nuclear Regulatory Commission for personnel exposure and radioactive effluent releases are not exceeded."

Contrary to the above, the licensee did not adequately plan the entry into unsealed source storage containers in Room 17, Hasbrouck building on July 24, 1996.

This is a Severity Level IV violation

(Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, University of Massachusetts is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.