

July 1, 1986

Docket No. 030-11834
License No. 12-06539-02
EA 86-102

Cook County Highway Department
ATTN: Mr. Glen Frederichs
Assistant Superintendent
of Highways
Bureau of Construction
118 North Clark Street
Chicago, IL 60602

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTIES
(NRC INSPECTION REPORT NO. 030-11834/86001[DRSS])

This refers to the special inspection conducted on May 8 and 14, 1986 of activities authorized by NRC Byproduct Material License No. 12-06539-02 and to information provided in your letter dated June 18, 1986. The results of the inspection were discussed on May 29, 1986 during an enforcement conference in the NRC Region III office between Mr. Phillip Nelson and others of your staff and Mr. J. A. Hind and others of the NRC staff.

As a result of the inspection, it appears that several violations of NRC requirements have occurred which demonstrate that the Cook County Highway Department has not maintained adequate control of licensed activities. The violations are of particular concern to the NRC because the Cook County Highway Department appointed an individual to be Radiation Safety Officer who was not designated in the license application and who was not approved for this position by the NRC. This individual had no experience with radioactive material and was not familiar with NRC regulatory requirements. In addition, the designated Radiation Protection Officer permitted an unauthorized individual to use licensed radioactive material and routinely permitted three individuals to store gauges containing licensed radioactive material at their private residences.

To emphasize the importance of complying with NRC regulations and to ensure effective management control over your licensed activities, I have been authorized, after consultation with the Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties in the amount of Five Hundred Dollars (\$500) for the violations described in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1986), the violations described in the enclosed Notice have been categorized in the aggregate as a Severity Level III problem. The base civil penalty for a Severity Level III problem is \$500. The escalation and mitigation factors in the Enforcement Policy were considered and no adjustment has been deemed appropriate.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

8607080217 860701
REG3 LIC30
12-06539-02 PDR

July 1, 1986

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. In particular, you should describe what management actions will be implemented to ensure that the conditions of your license, as well as NRC regulations, are followed in the future. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC's Public Document Room.

The responses directed by this letter and the enclosed 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.

Sincerely,

Original signed by
James G. Keppler

James G. Keppler
Regional Administrator

Enclosures:

1. Notice of Violation
and Proposed Imposition
of Civil Penalties
2. Inspection Report
No. 030-11834/86001(DRSS)

cc w/enclosures:
Illinois Health Department

RIII
Hindels

RIII
WBS
Schultz
6-27-86

RIII
Davis
6/27/86

RIII
Keppler
6/27/86

Distribution

PDR

LPDR

SECY

CA

J. Taylor, IE

J. G. Keppler, RIII

J. Axelrad, IE

E. Flack, IE

J. Lieberman, ELD

Enforcement Coordinators

RI, RII, RIII, RIV, RV

F. Ingram, PA

D. Chapell, NMSS

V. Miller, NMSS

B. Hayes, OI

S. Connelly, OIA

J. Crooks, AEOD

D. Nussbaumer, OSP

DCS

IE:ES

IE:EA

✓DCS

EDO Rdg File