



**DEPARTMENT OF THE ARMY  
NATIONAL GROUND INTELLIGENCE CENTER  
2055 BOULDERS ROAD  
CHARLOTTESVILLE VA 22911-8318**

IANG-OC

12 October 2021

MEMORANDUM THRU Mr. Blake Welling, Director, Division of Radiological Safety and Security, United States Nuclear Regulatory Commission, Region I, 2100 Renaissance Boulevard, King of Prussia, PA 19406-2713

FOR the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001

SUBJECT: Response to Apparent Violations in NRC Inspection Report No. 03032042/2021001; EA-21-115

1. I am in receipt of your inspection report, dated 24 September 2021, notifying NGIC of two violations following a routine inspection of FMOB of the Department of the Army's National Ground Intelligence Center (NGIC) at the Aberdeen Proving Ground on 20 April 2021.

2. It is my understanding that the Significant 3 Level Violation is currently pending a formal escalated enforcement action decision, IAW the NRC Enforcement Policy, for failure to maintain a qualified Radiation Safety Officer (RSO) on the NRC License No 45-25134-01. The following information is submitted for favorable consideration by the enforcement board:

a. NGIC acknowledges we failed to submit the required amendment in a timely manner.

b. No radiological sources were received, transported, or issued during this lapse in appointment upon the RSO departing the command.

c. All radiological sources were stored, secured, and a valid inventory was maintained of all on-hand quantities in accordance with regulatory guidance.

d. Upon notification of the violation, and following the renewal of our NRC Broad Scope Type A License, NGIC voluntarily suspended all radiation mission activities indefinitely pending full NRC compliance.

e. On 10 August 2021, NGIC approved the appointment of an Interim RSO whose qualifications satisfy the statutory requirements set forth in 10 CFR § 35.50 (Training for Radiation Safety Officer and Associate Radiation Safety Officer) who will fulfill these functions until the completion of the ongoing hiring process for a full-time RSO.

IANG-OC

SUBJECT: Response to Apparent Violations in NRC Inspection Report No. 03032042/2021001; EA-21-115

f. On 21 September 2021, NGIC forwarded a copy of the Interim RSO's credentials and submitted an amendment to change the RSO on the license. Based on approval of the NGIC Radiation Safety Council, an amendment was submitted to your office on 20 Sep 21 to correct this lapse.

g. On 10 Sep 21, NGIC entered into a formal agreement with Army Public Health Command (APHC) located at Aberdeen Proving Grounds, MD to obtain the services of a qualified and trained health physicist to serve as the RSO on the NGIC's current NRC License. This person will work in conjunction with the NGIC RSO Safety and Occupational Health Professional, and officially appointed as an alternate RSO by NGIC. These efforts will eliminate the single point of failure in this program while facilitating ongoing collaboration with the APHC license holder.

h. A budget line item has been added to the command to ensure funds are available to resource this program. The MOA/MOUA requires APHC to notify NGIC and HQ INSCOM SOH 6 months prior to current licensee departing the command to ensure we submit necessary amendments in a timely manner to our current Broad Scope Type A License. This will ensure we will meet our operational requirements while complying with NRC and Army Radiation Policy.

i. US Army Intelligence and Security Command (INSCOM) Headquarters Safety and Occupational Health (SOH) Office Radiation Safety Staff Officer (RSSO) participates and provides additional oversight to the NGIC Radiation Safety Officer and program compliance.

j. NGIC is currently unable to change its current license due to limitations with revealing the classification level, nomenclature, source, and other mandatory NRC reporting criteria of commodities it may receive at any time in the performance of its mission.

k. NGIC recently updated NGIC Regulation 11-4 to reflect current processes and training requirements and to ensure adherence to, and mitigation of, potential risk of exposure or loss to personnel executing radioactive commodities.

l. Hiring action to onboard a new NGIC Safety Professional with required training was completed on 1 Oct 21 to replace recently departed RSO program manager who retired on 31 Jul 21.

m. Please note this was not a "willful" violation on behalf of the NGIC as the impact of COVID did disrupt some of administrative operations. However, based on lessons learned, we have implemented administrative procedures to ensure the anticipated loss

IANG-OC

SUBJECT: Response to Apparent Violations in NRC Inspection Report No.  
03032042/2021001; EA-21-115

of personnel fulfilling key functions trigger immediate notification to affected leaders to reduce the impact on timely reporting.

3. I want to ensure you that my command team is committed to ensuring the safety of all personnel involved in the NGIC Radiation Safety Program and mission while maintaining the highest level of regulatory compliance.

4. POC for technical related questions is Ms. Kelly M. Noga, FM Division Chief, (434) 980-7124, [kelly.m.noga.civ@mail.mil](mailto:kelly.m.noga.civ@mail.mil) or Ms. Je'Neen P. Russell, INSCOM Safety Director, 703-428-4470, [jeneen.p.russell.civ@mail.mil](mailto:jeneen.p.russell.civ@mail.mil).

5. POC for general questions is LTC Steven Gariepy, NGIC Command Judge Advocate, at (434) 951-1461 or [steven.a.gariepy.mil@army.mil](mailto:steven.a.gariepy.mil@army.mil).

A handwritten signature in black ink, appearing to read "Chris Rankin", written in a cursive style.

CHRISTOPHER C. RANKIN  
COL, MI  
Commanding