

January 19, 2006

EA-06-015

George Jarvis, Safety Director
Department of the Army
U.S. Army TACOM Life Cycle Management Command
AMSTA-CS-CZR
Rock Island Arsenal
Rock Island, Illinois 61299-7630

SUBJECT: NRC INSPECTION REPORT NO. 030-13027/05-002(DNMS) AND
NON-CITED VIOLATION

Dear Mr. Jarvis:

On July 22, 2005, your staff notified the U.S. Nuclear Regulatory Commission (NRC) of the loss of 30 millicuries of nickel-63 in the form of a plated source that was housed in a portable chemical agent detector (CAD). The CAD was affixed to a Stryker military vehicle. The vehicle containing the CAD was shipped from Fort Lewis, Washington, to a number of military and Army contractor facilities for various upgrades and testing prior to being deployed overseas. Upon the return of the Striker vehicle to Fort Lewis, from the various military and contractor facilities, your staff discovered that the CAD containing the nickel-63 source was missing.

On October 11, 2005, we conducted a followup inspection and at that time it was your staff's position that the lost CAD was always under the control of the Army and was never in the public domain and was probably deployed overseas. The inspection consisted of an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of a selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that a Severity Level IV violation of NRC requirements occurred, regarding the failure to secure from unauthorized removal or access, or maintain control and constant surveillance of this licensed material. The violation was evaluated in accordance with the NRC Enforcement Policy, and is being treated as a Non-Cited Violation (NCV), consistent with Section VI.A of the Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov>; select **What We Do, Enforcement**, then **Enforcement Policy**.

If you contest the violation or significance of the NCV, you should provide a response within 30 days of the date of this letter, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with copies to the Regional Administrator, Region III, and the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

G. Jarvis

-2-

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

John R. Madera, Chief
Nuclear Materials Inspection Branch

Docket No. 030-13027
License No. 12-00722-06

cc: Thomas Giziski, RSO

Distribution:

Docket File
S. Merchant, OE
G. Morell, NMSS
G. E. Grant, RIII
S. A. Reynolds, RIII
C. Weil, RIII

DOCUMENT NAME:E:\Filenet\ML060200166.wpd

X Publicly Available

☐ Non-Publicly Available

☐ Sensitive

X Non-Sensitive

To receive a copy of this document, indicate in the concurrence box "C" = Copy without attach/encl "E" = Copy with attach/encl "N" = No copy

OFFICE	DNMS		EICS		DNMS		
NAME	Wiedeman:mb		O'Brien		Madera		
DATE	01/19/06		01/19/06		01/19/06		

OFFICIAL RECORD COPY