



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

February 16, 2012

Docket No. 03012630
EA-12-014

License No. 01-00126-16

James Johnson
Executive Director
Department of the Army
U.S. Army Aviation and Missile Command
U.S. Army TMDE Activity
AMSAM-TMD-SR, Building 5417
Redstone Arsenal, AL 35898-5000

SUBJECT: NRC INSPECTION REPORT NO. 03012630/2011002, DEPARTMENT OF THE
ARMY, U.S. ARMY AVIATION AND MISSILE COMMAND, REDSTONE
ARSENAL, ALABAMA

Dear Mr. Johnson:

On October 24 and 25, 2011, Dennis Lawyer of this office conducted a safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. Additional information provided in your correspondence dated November 4 and 21, 2011; December 7, 2011; January 11-14, and 17, 2012; and the telephone conversation on January 25, 2012, between Larry Tarr, Stephen V. Howard, and Dave Walsh of your organization and this office were also examined as part of the inspection. The findings of the inspection were discussed with Larry Tarr, Stephen V. Howard, and Dave Walsh of your organization at the conclusion of the inspection. The enclosed report presents the results of this inspection.

Based on the results of this inspection, three apparent violations were identified and are described in Section III of the enclosed report. One of the apparent violations is being considered for escalated enforcement in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The apparent violation being considered for escalated enforcement involved a radiation monitor that was not integrated with personnel access door locks to prevent room access when radiation levels are high inside the radiation room as required by 10 CFR 36.23(c). The monitor had not been integrated with the access door since September 24, 1996. The second apparent violation involved the key used to move the source of a panoramic irradiator. The key was not attached to a portable radiation survey meter by a chain or cable as required by 10 CFR 36.31(a). The third apparent violation involved the operator not checking the functioning of the survey meter with a radiation check source prior to entry following each irradiation, as required by 10 CFR 36.67(a). The circumstances surrounding these apparent violations, the significance of the issues, and the need for lasting and effective corrective action were discussed with members of your staff at the inspection exit.

meeting at the conclusion of the inspection. As a result, it may not be necessary to conduct a predecisional enforcement conference (PEC) in order to enable the NRC to make an enforcement decision.

In addition, since your facility has not been the subject of escalated enforcement actions within the last 2 years, and based on our understanding of your corrective action, a civil penalty may not be warranted in accordance with Section 2.3.4 of the Enforcement Policy. The final decision will be based on your confirming on the license docket that the corrective actions previously described to the staff have been or are being taken.

Before the NRC makes its enforcement decision, we are providing you an opportunity to (1) respond to the apparent violations addressed in this inspection report within 30 days of the date of this letter or, (2) request a PEC. If a PEC is held, it will be open for public observation and the NRC will issue a press release to announce the time and date of the conference. If you decide to participate in a PEC, please contact Judy Joustra at 610-337-5355 within 10 days of the date of this letter. A PEC should be held within 30 days of the date of this letter.

If you choose to provide a written response, it should be clearly marked as a "Response to Apparent Violations in Inspection Report No. 03012630/2011002; EA-2012-014" and should include for each apparent violation: (1) the reason for the apparent violation, or, if contested, the basis for disputing the apparent 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 previously docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a PEC.

If you choose to request a PEC, the conference will afford you the opportunity to provide your perspective on the apparent violation and any other information that you believe the NRC should take into consideration before making an enforcement decision. The topics discussed during the conference may include the following: information to determine whether a violation occurred, information to determine the significance of a violation, information related to the identification of a violation, and information related to any corrective actions taken or planned to be taken. In presenting your corrective actions, you should be aware that the promptness and comprehensiveness of your actions will be considered in assessing any civil penalty for the apparent violation(s).

In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays). In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System.

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(ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions concerning this matter, please contact Dennis Lawyer of my staff at 610-337-5366.

Sincerely,

/RA/

Raymond K. Lorson, Director
Division of Nuclear Materials Safety

Enclosure:
Inspection Report No. 03012630/2011002

cc:
Stephen V. Howard, Radiation Safety Officer
State of Alabama

J. Johnson

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cc:
Stephen V. Howard, Radiation Safety Officer
State of Alabama

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