

June 25, 2012
EN-12-029

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: United States Air Force,
Wright Patterson Medical Center
Dayton, Ohio

EA -12-031

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY -
\$8,500

This is to inform the Commission that a Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$8,500 will be issued on or about June 29, 2012, to the United States Air Force (USAF, licensee). This action is based on violations associated with 10 CFR 35.67(g) and 10 CFR 20.1801. The licensee failed to conduct a semiannual physical inventory of all sealed sources in their possession, as required by 10 CFR 35.67(g). The licensee also failed to secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas, as required by 10 CFR 20.1801. Specifically, between November 2, 2004 and September 30, 2011, the USAF did not include an americium-241 sealed source, which was believed to be in storage, in its semiannual physical inventory. The USAF believed the source was located in the low-level radioactive waste storage room, which is a controlled area; however, sometime between November 2, 2004, when the last physical inventory occurred, and September 30th 2011, the americium-241 source was lost. To date, the USAF has been unable to locate the source. These violations have been categorized collectively as a Severity Level III problem.

The licensee has not been the subject of escalated enforcement actions within the last 2 years and has completed prompt and comprehensive corrective actions, including but not limited to: (1) three thorough searches of all source storage locations in the medical treatment facility completed by the permit radiation safety officer; (2) reviews of existing source transfer, disposal, and inventory documentation in an attempt to discover the disposition of the source; (3) interviews with past permit radiation safety officers in an attempt to determine, from a historical perspective, the probable source location; (4) a photographic inventory of all radioactive sources; (5) restructuring of electronic database and permit binder documents; and (6) annual radiation safety training that emphasized accountability of radioactive material to both the radiation therapy staff on February 10, 2012, and the nuclear medicine staff on March 16 and 19, 2012.

To emphasize the importance of maintaining security and control of sealed sources and in accordance with the Enforcement Policy, a base civil penalty in the amount of \$8,500 is proposed for this SL III problem involving the loss of this quantity and type of regulated material.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice
Telephone Notification of Licensee

June 29, 2012
June 29, 2012

The State of Ohio will be notified.

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