



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

December 18, 2013

Docket No. 99990001

License No. General License
10 CFR 31.5

Richard F. Bonar
Radiation Safety Officer
E.I. DuPont
P.O. Box 1217
Washington, WV 26181

SUBJECT: NRC INSPECTION REPORT NO. 99990001/2013003, E.I. DUPONT,
WASHINGTON, WEST VIRGINIA SITE

Dear Mr. Bonar:

On November 20, 2013, Dennis Lawyer of this office conducted a safety inspection at 8480 DuPont Road, Washington, West Virginia of activities authorized by 10 CFR Part 31. The inspection was limited to a review of the events surrounding the loss of a generally licensed device. Additional information provided in your correspondence dated November 26, 2013, and a telephone conversation with you on December 6 and 10, 2013, were also examined as part of the inspection. The findings of the inspection were discussed with you at the conclusion of the inspection.

Based on the results of this inspection, the NRC has determined that a violation of NRC requirements occurred. 10 CFR 31.5(c)(8)(i) requires, in part, that a general licensee transfer or dispose of a device containing byproduct material only by export as provided by paragraph (c)(7) of this section, by transfer to another general licensee as authorized in paragraph (c)(9) of this section, or to a person authorized to receive the device by a specific license.

Contrary to the above, during August 2013, E.I. DuPont transferred a generally licensed ProSentry Analyzer containing a maximum 15 millicurie nickel 63 source in a detector cell to a scrap recycler that is not licensed by the above methods. E.I. DuPont searched for the material to attempt recovery but it was not found. To prevent recurrence, E.I. DuPont has reviewed the event with the maintenance organization and placed additional signs on radioactive devices. E.I. DuPont plans to: perform training for mechanics on the proper handling and removal of devices containing radioactive sources by February 14, 2014; review planning and scope identification of any demobilization and removal work by January 10, 2014; and incorporate radiological awareness training into general employee training by March 2014. This violation has been assessed at Severity Level IV in accordance with the Enforcement Policy Section 6.7.

Because: (1) E.I. DuPont identified the violation; (2) E.I. DuPont committed to performing corrective actions within a reasonable period of time; and (3) the violation was neither willful nor repetitive as a result of inadequate corrective action, it has been characterized as a non-cited violation (NCV) in accordance with Section 2.3.2 of the Enforcement Policy. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. If you contest this NCV or its significance, you should provide a response within 30 days of the date of this inspection report, with the basis for your

denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to: (1) the Regional Administrator, Region I and (2) the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. 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).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

No reply to this letter is required. Please contact Dennis Lawyer at 610-337-5366 if you have any questions regarding this matter.

Sincerely,

Original signed by Blake D. Welling

Blake Welling, Chief
Commercial, Industrial, R&D, and Academic
Branch
Division of Nuclear Materials Safety

cc:
State of West Virginia

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| NAME | DLawyer/dl | | BWelling/bw | | | | |
| DATE | 12/11/2013 | | 12/18/2013 | | | | |

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