

October 10, 1996

Department of the Navy  
Chief of Naval Operations (N-45)  
Navy Radiation Safety Committee  
ATTN: RADM L. Schriefer  
Chairman  
Washington, D.C. 20350-2000

SUBJECT: NRC INSPECTION REPORT 45-23645-01NA/96-09

Dear Admiral Schriefer:

Thank you for your response of September 18, 1996, to our Notice of Violation, issued on August 24, 1996, concerning activities conducted under NRC License No. 45-23645-01NA. We have evaluated your response and found that it meets the requirements of 10 CFR 2.201. We will examine the implementation of your corrective actions during future inspections.

If there are questions or concerns regarding this request, please contact Mr. Jay Henson at (404) 331-0344.

We appreciate your cooperation in this matter.

Sincerely,

(Original signed by D. Collins)

Bruce S. Mallett, Director  
Division of Nuclear Materials Safety

Docket No. 030-29462  
License No. 45-23645-01NA

cc: Commonwealth of Virginia

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\* See previous concurrence

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Department of the Navy  
Chief of Naval Operations (N-45)  
Navy Radiation Safety Committee  
ATTN: RADM L. Schriefer  
Chairman  
Washington, D.C. 20350-2000

SUBJECT: NRC INSPECTION REPORT 45-23645-01NA/96-05 <sup>89</sup>

Dear Admiral Schriefer:

Thank you for your response of September 18, 1996, to our Notice of Violation, issued on August 24, 1996, concerning activities conducted under NRC License No. 45-23645-01NA. We have evaluated your response and found that it meets the requirements of 10 CFR 2.201. We will examine the implementation of your corrective actions during future inspections.

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Bruce S. Mallett, Director  
Division of Nuclear Materials Safety

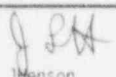

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DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

5104  
Ser N455/6U597774  
18 Sep 1996

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

REPLY TO A NOTICE OF VIOLATION (NRC Inspection Report  
No. 45-23645-01NA/96-09, Docket No. 030-29462)

Gentlemen and Ladies:

This is in response to your letter of August 24, 1996, Docket No. 030-29462, License No. 45-23645-01NA, Subject: NRC Inspection Report No. 45-23645-01NA/96-09, which addresses the 1996 inspection of Navy's Master Materials License. Your report states that two violations of NRC requirements were identified during the inspection. One violation cited improper use of a teletherapy source at a Naval Hospital, while the other concerned shortfalls in the Navy inspection performance and tracking system. As requested, each of the violations is addressed in the enclosure to this letter.

Sincerely,

J.W. MALINOSKI  
Captain, MSC, U.S. Navy  
Executive Secretary,  
Navy Radiation Safety Committee

Encl:

- (1) Reply to a notice of violation,  
NRC inspection report  
No. 45-23645-01NA/96-09

Copy to:  
Regional Administrator, NRC Region II  
CHBUMED (MED-211)  
NAVSEASYS COM (SEA 07R)  
NAVENVIRHLTHCEN (Code 31)  
NAVSEADET RASO  
CMC (SD)

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REPLY TO A NOTICE OF VIOLATION (NRC Inspection Report  
No. 45-23645-01NA/96-09, Docket No. 030-29462)

A. The licensee used a cobalt-60 teletherapy unit at Naval Medical Center (NMC), Portsmouth, Virginia, as a panoramic irradiator as defined in 10 CFR 36.2 without providing the access controls, fire protection, and controls on source movement required by 10 CFR 36.23, 36.27, and 36.31.

(1) Reason for the violation - The violation occurred because of an oversight by the technical support center (medical) to the Navy Radiation Safety Committee, Naval Environmental Health Center (NEHC). NEHC did not understand that 10 CFR 36 applied to Cobalt-60 medical teletherapy units also used for purposes other than treatment of patients, specifically, irradiation of blood products.

(2) Corrective steps taken and results achieved - Following identification of the violation on June 14, 1996, NEHC, by phone call to the Radiation Safety Officer, caused NMC, Portsmouth, to suspend use of the teletherapy unit for irradiation of blood products. At the direction of the Navy Radiation Safety Committee, NEHC letter 6470 Ser OMPDT/04497 also of June 14, 1996, modified the NMC NRMP 45-00183-32NP to authorize use of the teletherapy unit only for the treatment of humans thereby prohibiting use of the unit for other purposes such as irradiation of blood products. A letter from the Navy Radiation Safety Committee to NRC (Ser N455/6U597721 of July 11, 1996) requested exemption from selected requirements of 10 CFR 36 to allow use of the teletherapy unit for the irradiation of blood products in addition to treatment of patients.

(3) Corrective steps that will be taken to avoid further violations - NEHC staff reviewed 10 CFR Part 36 and are aware of its application to medical teletherapy units which are also used for non-medical purposes. NRMP 45-00183-32NP will continue to prohibit use of the teletherapy unit for purposes other than treatment of humans pending receipt of requested exemption from certain 10 CFR 36 requirements. The NMC teletherapy unit is currently the only medical teletherapy unit in the Navy and it is expected to be decommissioned in mid-1997. It is unlikely that additional medical teletherapy units will be purchased and put into service there or elsewhere within the jurisdiction of the Master Materials License.

(4) Full compliance is considered achieved.

REPLY TO A NOTICE OF VIOLATION (NRC Inspection Report  
No. 45-23645-01NA/96-09, Docket No. 030-29462)

B. The licensee failed to inspect commodities activities authorized under Permit No. NRMP 08-00024-T1NP, issued to NAVSEA-04R, since NRC License No. 45-23645-01NA was issued in March 1987.

(1) Reason for the violation - Navy's downsizing initiative linked with the base closure processes resulted in a strain on technical support center resources. This strain necessitated periodic reprioritization of taskings including postponement of a comprehensive inspection of the commodities permit which was not deemed to present a great safety significance relative to other uses of radioactive material under the Master Materials License. The NRSC did not have an accurate, comprehensive data base available reflecting the status of inspections to enable close scrutiny of compliance of inspection periodicity with NRC policy.

(2) Corrective steps taken and results achieved - An in-depth comprehensive follow-on inspection of the commodities program by the technical support center (industrial) and an NRSC representative has been scheduled for December 1996. The NRSC's data base has been upgraded and verified to accurately reflect the status of all required NRMP inspections. The data base identifies the activity, location, unit identification code, type of permit, responsible technical support center, date of last permit action, date of last and next inspection, and a comments section to alert the NRSC to special requirements or notations. The data base is being updated and verified at least quarterly through coordination with the respective technical support centers.

(3) Corrective steps that will be taken to avoid further violations - The upgraded NRSC data base has been incorporated as a routine review item during the quarterly NRSC meetings. Any disparities noted at that time will be addressed and rectified immediately.

(4) Full compliance is considered achieved.