

SEP 11 1996

James L. Stevens, Director
Safety and Health Management Division
U. S. Department of Agriculture
Office of the Secretary
Office of Human Resource Management
Washington, DC 20250

SUBJECT: INSPECTION NOS. 030-04530/95-001 and 96-001 through 96-007

Dear Mr. Stevens:

This letter refers to your July 2, 1996 correspondence, in response to our June 5, 1996 letter.

Thank you for informing us of the corrective and preventive actions documented in your letter. These actions will be examined during a future inspection of your licensed program.

Your cooperation with us is appreciated.

Sincerely,

ORIGINAL SIGNED BY:

John D. Kinneman, Chief
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety

Docket No. 030-04530
License No. 19-00915-03

cc:
John T. Jensen, Radiation Safety Officer
Radiation Safety Staff
USDA/OP/SHMD/RSS
4700 River Road, Unit 91
Riverdale, MD 20737

Arthur L. Schipper, Ph.D.
Radiation Safety Committee
U. S. Department of Agriculture
Agricultural Research Service
Associate Director
North Atlantic Area
Wyndmoor, PA 19038

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James L. Stevens
U. S. Department of Agriculture

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

Reply to a Notice of Violation

Docket No. 030-04530
License No. 19-00915-03

Gentlemen:

This is in reply to a Notice of Violation transmitted by a letter dated June 5, 1996, from John D. Kinneman of the U.S. Nuclear Regulatory Commission (NRC) in response to the U.S. Department of Agriculture (USDA) inspection on April 8-10 and 12, 1996, by Betsy Ullrich. The Notice of Violation identified the failure to hold radioactive waste for ten half-lives prior to disposal as normal trash. The inspection report identified four violations of minor safety significance that did not require formal enforcement action. Corrective actions for all of the violations have been taken and are documented below.

The failure to hold radioactive waste for ten half-lives prior to disposal as normal trash was identified by the Location Radiation Protection Officer (LRPO) at the Agricultural Research Service (ARS) laboratory in Beltsville, Maryland, on August 14, 1995. The LRPO immediately reported this violation to the USDA Radiation Safety Staff (RSS) and the RSS immediately notified the NRC. The LRPO determined that a radiation safety technician had not reviewed the waste records, which identified the date when the ten half-life decay period for the waste would elapse, prior to performing the radiation level survey and disposing of the waste in the normal trash. The technician was given additional instruction on waste handling procedures and closely monitored by the LRPO. The technician did not commit any additional violations of radioactive waste disposal procedures. Full compliance with NRC requirements was immediately achieved after the violation was identified.

The failure to use a survey meter which had been calibrated within the last 12 months was identified during an NRC inspection on December 8, 1995, at the ARS laboratory in Athens, Georgia. The permit holder responsible for the survey instrument immediately removed the instrument from use and replaced it with a calibrated instrument.

The failure to survey a package containing radioactive material for removable radioactive contamination was identified during an NRC inspection on March 29, 1996, at the ARS laboratory in Orlando, Florida. The LRPO at that location immediately corrected survey procedures to assure that packages are surveyed for removable radioactive contamination.

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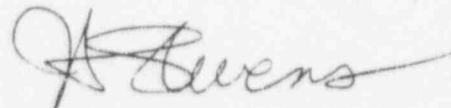
The failure to maintain all required information on radioactive waste held for decay prior to disposal in the normal trash was identified during NRC inspections on February 13, 1996, at the ARS laboratory in East Lansing, Michigan, and on April 17, 1996, at the ARS laboratory in Ithaca, New York. The LRPOs at each laboratory immediately modified their waste disposal records to include all required information on radioactive waste held for decay.

The failure to include a cobalt-60 source and several radium-226 sources on a radiation source use permit was identified during an NRC inspection on April 17, 1996, of the ARS laboratory in Ithaca, New York. The LRPO at the laboratory had the sources radioassayed, and the RSS amended the user's permit to list the sources.

The RSS has determined that corrective actions have been taken for all of the violations and that procedures are in place instructing permit holders and LRPOs on maintaining compliance with program requirements. The RSS will review implementation of the corrective actions during inspections of the laboratories to assure continued compliance with these requirements. The RSS will review compliance with these requirements during inspections at other USDA locations.

If you have any questions, please contact me on 202-720-8248 or John Jensen, the Department's Radiation Safety Officer, on 301-734-4945.

Sincerely,



James A. Stevens
Director
Safety and Health
Management Division

cc:
Regional Administrator, Region I