

U. S. NUCLEAR REGULATORY COMMISSION

REGION II

Docket No.: 999-90002
License No.: General License (10 CFR 31.5)
Report No.: 999-90002/96-10
Licensee: Pinkerton Chevrolet Geo
Location: 9225 North Electric Road
Salem, Virginia
Date: December 19, 1996
Inspectors: John M. Pelchat, Health Physicist
Approved by: Charles M. Hosey, Chief
Materials Licensing/Inspection Branch 1
Division of Nuclear Materials Safety

EXECUTIVE SUMMARY

Pinkerton Chevrolet Geo

NRC Inspection Report No. 999-90002/96-10

This reactive, announced inspection was conducted to evaluate the circumstances surrounding the loss of two generally licensed devices. This included discussions with cognizant licensee representatives and reviews of documents associated with the general licensee's efforts to identify, locate and dispose of the two generally licensed devices containing 0.3 and 1.6 millicuries of polonium 210, respectively.

The inspector found the general licensee had discontinued the use of generally licensed materials. The general licensee contacted the device manufacturer to obtain a description of the missing devices and contacted former body shop employees in attempt to determine the whereabouts of the devices. As a result of one these contacts, the general licensee discovered that a former employee was in possession of one of the missing devices and initiated efforts to recover the device. The general licensee was unable to develop any additional information concerning the second unaccounted-for device. One non-cited violation regarding the loss of licensed radioactive materials was identified.

LIST OF PERSONS CONTACTED

Licensee

- * S. Lilly, Service Manager
- M. Thomas, Controller

In addition, various service department personnel were interviewed during a facility tour.

REPORT DETAILS

01. Scope of Program

Pinkerton Chevrolet Geo was an automobile dealership. The Service Manager was responsible for the management of the body shop prior to its closing. Interview of the Service Manager revealed that generally licensed static eliminators had been used to remove dust from automobiles prior to painting. The Service Manager stated that the body shop was closed in September 1996 and that the paint booth was no longer in use at the time of the inspection. No individuals who previously worked in the body shop were employed at the facility.

02. Review of Circumstances of Loss of Generally Licensed Materials (87100)

Interview by the inspector of the Service Manager and the Controller, and review of records revealed that two static elimination devices were leased from NRD, Inc. One device was leased in December 1994 and the second was leased in December 1995. The loss of the sources was discovered in late October 1996 as the result of discussions between the Controller and NRD regarding the upcoming renewal of the lease in December 1996. The general licensee's staff were unable to locate either of the sources and NRD advised the general licensee that the loss had to be reported to the NRC. Pinkerton Chevrolet Geo notified the NRC Region II office in writing of the missing devices on November 6, 1996.

The missing devices were NRD Model P-2051 "Nuclacel Ion Air Gun" nuclear static eliminator. The devices consisted of a foil source contained in an open-ended stainless steel cylinder measuring 6.89 inches by 0.5 inch. The cylinders were hand-held air guns provided by NRD. The devices were manufactured on December 1994 (serial no. 72338) and December 1995 (serial no. 79584). Each device had an original activity of 10 millicuries of polonium 210 (half-life = 138 days). As of the date of the inspection, the activity had decayed to 0.3 millicuries and 1.6 millicuries, respectively.

Discussions with general licensee personnel revealed that they were not familiar with the appearance of the missing devices. The service manager telephoned the Radiation Safety Officer at NRD and requested that NRD fax a description of the devices. Using the description, the service manager and the inspector searched the paint booth and the area previously used as the body shop. In addition, service department personnel were asked if they had seen the devices. The search was not successful. The service manager then began contacting former body shop employees who still lived in the Salem - Roanoke, Virginia area by telephone. One of these conversations indicated one individual was the sole user of the devices and that they were regularly stored in his tool box. That individual was employed at the time of inspection by Dale Earnhardt Chevrolet in Newton, North Carolina.

On December 31, 1996, the service manager contacted his counterpart at Dale Earnhardt Chevrolet by telephone and requested that he attempt to locate the missing devices. The Dale Earnhardt service manager later

advised the Pinkerton service manager that one of the devices was found in the former general licensee employee's tool box. Arrangements were made to ship the device back to the general licensee. Pinkerton Chevrolet Geo personnel were unable to develop any additional information regarding the other missing device. The service manager advised the inspector of this information on December 31, 1996 and stated that upon receipt of the device, he would ship it to NRD for proper disposal. The service manager agreed to contact and advise the inspector of the recovered device's upon receipt.

03. General Licensee Corrective Actions

Pinkerton Chevrolet Geo shut down the body shop in late September - early October, 1996 and out-sources automotive body repairs. The service manager indicated that he did not anticipate any future use of the static air guns or other devices containing licensed materials.

04. Regulatory Issues

10 CFR 31.5(c)(1) requires, in part, that persons possessing devices generally licensed pursuant to 10 CFR 31.5(a) comply with all instructions and precautions provided by the label on the device. The label affixed to the NRD model P-2051 static elimination device prohibited abandonment or improper transfer of the device. The inspector concluded that the cause of one of the source's loss was the apparent unauthorized removal of the device by a former employee. The inspector was not able to determine the whereabouts or specific circumstances surrounding the loss of the other missing device.

Pinkerton Chevrolet Geo identified the loss of the generally licensed device and promptly reported the loss to the NRC. The licensee did implement efforts to locate the devices, and succeeded in recovering one of the two missing devices. Pinkerton Chevrolet Geo does not anticipate any future use of licensed materials. from implemented comprehensive corrective actions that are likely to prevent future unapproved acquisition of generally licensed materials. This licensee identified and corrected violation is being treated as a Non-Cited Violation, consistent with Section VII.B.1 of the NRC Enforcement Manual.

EXIT MEETING SUMMARY

The inspector presented the inspection results to licensee representatives by on December 19, 1996. The inspector discussed the non-cited violation regarding the loss of generally licensed radioactive materials with the licensee representative present. Licensee representatives did not identify any documents or processes as proprietary in nature, and no dissenting comments were received from the licensee.

INSPECTION PROCEDURES USED

IP 87100: Licensed Materials Program