

NOV 27 1996

Mr. Edgar D. Bailey, CHP, Chief  
Radiologic Health Branch  
Food, Drugs & Radiation Safety Division  
State Department of Health Services  
714/744 P Street  
Post Office Box 942732  
Sacramento, CA 94234-7320

Dear Mr. Bailey:

We have received the attached memorandum from Dr. Donald A. Cool, Director, Division of Industrial and Medical Nuclear Safety, NMSS regarding a recent inspection of a U. S. Steel Corporation facility in Gary, Indiana. The inspection revealed a discrepancy between the activity in a device possessed by the general licensee and the maximum activity authorized on the Nuclear Data Systems' device certificate issued by California.

We would appreciate a response to the 5 questions identified in Dr. Cool's memorandum by December 30, 1996. Please respond directly to Dr. Cool. Questions should be referred to John Lubinski at 301-415-7868 or e-mail at Internet: JWL@NRC.GOV.

Sincerely,

Original Signed By  
RICHARD L. BANGART

for Paul H. Lohaus, Deputy Director  
Office of State Programs

Enclosure:  
As stated

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RBangart

SDroggitis

JHornor, R-IV WCFO

California File

PLohaus

LBolling

SBaggett, NMSS/IMNS

DCD (SP08) PDR YES ☒ NO ☐

DOCUMENT NAME: G:\TSK6S288.LAB

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PDR



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 27, 1996

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We would appreciate a response to the five questions identified in Dr. Cool's memorandum by **December 30, 1996**. Please respond directly to Dr. Cool. Questions should be referred to John Lubinski at 301-415-7868 or e-mail at Internet: [JWL@NRC.GOV](mailto:JWL@NRC.GOV).

Sincerely,

A handwritten signature in cursive script, reading "Richard L. Bangart Jr.", is written over the typed name of Paul H. Lohaus.

Paul H. Lohaus, Deputy Director  
Office of State Programs

Enclosure:  
As stated



UNITED STATES  
NUCLEAR REGULATORY COMMISSION


WASHINGTON, D.C. 20555-0001

November 15, 1996

96 NOV 19 AM 10:59

OSP

MEMORANDUM TO: Richard L. Bangart, Director  
Office of State Programs

FROM: Donald A. Cool, Director  
Division of Industrial and  
Medical Nuclear Safety, NMSS 

SUBJECT: THE STATE OF CALIFORNIA'S EVALUATION OF A  
NUCLEONIC DATA SYSTEMS GENERAL LICENSE DEVICE

During an inspection of specific and general licensed activities at U.S. Steel Corporation, a Region III inspector found that the licensee was using six Nucleonic Data Systems (NDS) Model 200 gauging devices. The devices were being used under the 10 CFR 31.5 general license and were appropriately labeled. The device labeling and the corresponding paperwork indicated that each device contained 2 curies of americium-241. The first device was received by U.S. Steel Corporation in the late 1970's. When the inspector reviewed the registration certificate for the device (CA-514-D-101-G, November 27, 1974), he found that the device was authorized for only 1.5 curies of americium-241.

The inspector contacted my staff who then contacted the State of California. The State indicated that there was no update to the registration certificate and the device was only approved for 1.5 curies. The State indicated that if additional information was needed, we should send all the information we have to the State and request their assistance. We also attempted to contact NDS directly but found that our records indicate that NDS is no longer in business.

We have attempted to determine whether this is an isolated situation or whether other general licensees may possess NDS Model 200 gauges containing 2 curies by querying the database of NRC general licensees. Our records indicate that another general licensee, National Steel Corporation, Weirton, WV, may possess three Model 200 gauges containing 2 curies of americium-241. These gauges were distributed to National Steel Corporation in 1977. Our records do not include Agreement State general licensees. Therefore, the full extent of the problem is unknown.

Prior to taking action with respect to the two licensees identified, we would like to know the extent of the problem. Therefore, we request that you provide the above information (complete names and addresses of the licensees are attached) to the State of California and request that the State provide the following information:

1. The status of NDS's general distribution license. Is NDS still distributing devices to general licensees?

2. The status of registration certificate CA-514-D-101-G. Did the State ever approve the device to be distributed with 2 curies?
3. Is it possible that the device labeling and paperwork is incorrect?
4. Is there any information that indicates how many devices containing greater than 1.5 curies of americium-241 were distributed to both NRC or Agreement State licensees?
5. We request that the State review the information originally submitted by NDS to determine whether the State can verify that the device can meet the dose limitations specified in 10 CFR 32.51 when it contains 2 curies of americium-241.
6. If this is a generic problem, the actions the State plans to take.

If the State would like to discuss the situation, they may contact John Lubinski of my staff at (301) 415-7868.

Licensees Possessing NDS Model 200 Gauges Containing 2 Curies of Americium-241

U.S. Steel Corporation  
Gary Works  
1 North Broadway  
Gary, IN 46402

National Steel Corporation  
Weirton Steel  
P.O. Box 431 - Main Street  
Weirton, WV 26062

Attachment

EXECUTIVE TASK MANAGEMENT SYSTEM

<<< PRINT SCREEN UPDATE FORM >>>

TASK # - 6S288

DATE- 11/20/96

MAIL CTRL. - 1996

TASK STARTED - 11/20/96

TASK DUE - / /

TASK COMPLETED - / /

TASK DESCRIPTION - 11/15/96 MEMO CALIFORNIA'S EVALUATION OF A NUCLEONIC  
DATA SYSTEMS GENERAL LICENSE DEVICE

REQUESTING OFF. - IMNS

REQUESTER - D. COOL

WITS -

0 FYP - N

PROG. -

PERSON -

STAFF LEAD -

PROG. AREA -

PROJECT STATUS -

OSP DUE DATE:

PLANNED ACC. - N

LEVEL CODE - 1

cc: LRB  
MHL  
SCD

Assigned to: LAB

Due Date: Letter to CA by 11/29, if possible



UNITED STATES  
NUCLEAR REGULATORY COMMISSION


WASHINGTON, D.C. 20555-0001

November 15, 1996

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