

DCD

April 17, 1997

EA 97-166

Mark Jacob
Administrator
Indianapolis Department of
Capital Asset Management
604 N. Sherman Drive
Indianapolis, IN 46201

SUBJECT: NRC INSPECTION REPORT NO. 030-19629/97001(DNMS)

Dear Mr. Jacob:

This refers to the inspection conducted on March 19, 1997 (with continued NRC in-office review through April 7, 1997) at Indianapolis Department of Capital Asset Management, Indianapolis, Indiana. At the conclusion of the inspection, the findings were discussed with members of your staff.

Areas examined during the inspection are identified in the enclosed report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements.

Based on the results of this inspection, seven apparent violations were identified. The apparent violations collectively represent a programmatic breakdown of your control and accountability of licensed material. The apparent violations, in aggregate, are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Accordingly, we are withholding the issuance of our enforcement proposal regarding the apparent violations until we have completed our review. Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

A predecisional enforcement conference to discuss these apparent violations and concerns has been scheduled for May 6, 1997, at 1:00 p.m. (CDT) at the NRC Region III Office at 801 Warrenville Road, Lisle, Illinois and it will be opened to the public. The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The purposes of this conference are to discuss the apparent violations, their causes and safety significance; to provide you the opportunity to point out any errors in our inspection report; and to provide an opportunity for you to present your proposed corrective actions. This is an opportunity for you to provide any information concerning your perspectives on (1) the

9704220316 970417
PDR ADOCK 03019629
C PDR



LE07

M. Jacob

-2-

severity of the violations, (2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and (3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding these apparent violations is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and the enclosures will be placed in the NRC Public Document Room.

Sincerely,

Original Signed by Roy J. Caniano

Roy J. Caniano, Acting Director
Division of Nuclear Materials Safety

License No. 13-19983-01
Docket No. 030-19629

Enclosures: 1. Inspection Report
No. 030-19629/97001(DNMS)
2. Enforcement Policy: Section V,
Predecisional Enforcement Conferences
3. Excerpt from NRC Information Notice 96-28

cc w/encls: Michael Smith, RSO

bcc w/encls: Office of Enforcement
J. Goldberg, OGC
D. Cool, NMSS
T. Simmons, EICS
PUBLIC IE07

DOCUMENT NAME: R:\INSPRPTS\MTLS\030\03019629.971

***See Previous Concurrence**

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	*DNMS/RIII	E	*DNMS/RIII	E	*DNMS/RIII	E	DNMS/RIII
NAME	RGattone:dp		JMadera		HClayton		RCaniano
DATE	04/16/97		04/16/97		04/16/97		04/16/97

OFFICIAL RECORD COPY

severity of the violations, (2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and (3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding these apparent violations is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and the enclosures will be placed in the NRC Public Document Room.

Sincerely,

Roy J. Caniano, Acting Director
Division of Nuclear Materials Safety

License No. 13-19983-01

Docket No. 030-19629

Enclosures: 1. Inspection Report
No. 030-19629/97001(DNMS)
2. Enforcement Policy: Section V,
Predecisional Enforcement Conferences
3. Excerpt from NRC Information Notice 96-28

cc w/encls: Michael Smith, RSO

bcc w/encl: PUBLIC IE07
J. Strasma, PAO

DOCUMENT NAME: R:\INSPRPTS\MTLS\030\03019629.971

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	DNMS/RIII	<input checked="" type="checkbox"/>	DNMS/RIII	<input checked="" type="checkbox"/>	DNMS/RIII	<input checked="" type="checkbox"/>	DNMS/RIII	
NAME	RGattone:dp		JMadera		HClayton		RCaniano	
DATE	04/16/97		04/16/97		04/16/97		04/ /97	

OFFICIAL RECORD COPY