

# NMSS Quarterly Newsletter



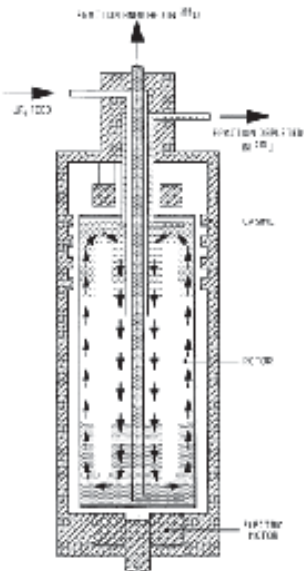
**U.S. Nuclear  
Regulatory  
Commission**

**Office of Nuclear  
Material Safety  
and Safeguards**

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## GAS CENTRIFUGE LICENSING ACTIVITIES



Significant milestones have been reached recently in the area of gas centrifuge (GC) uranium enrichment facility licensing. Three license applications, two from USEC Inc., and one from Louisiana Energy Services (LES), have been received. These license applications signal a changeover from the current uranium enrichment technology used in the United States — the gaseous diffusion process.

**Figure 1 .**  
Gas Centrifuge Process

On June 15, 2005, the U.S. Nuclear Regulatory Commission (NRC) issued the final Environmental Impact Statement (EIS), NUREG-1790, and Safety Evaluation Report (SER), NUREG-1827, for the proposed National Enrichment Facility (NEF) to be constructed and operated by LES. In the SER, the staff concluded that LES demonstrated it has adequate safety programs to construct and operate the proposed facility. In the final EIS, the staff analyzed the environmental impacts from the proposed NEF, and determined that impacts generally would be small to moderate. In preparing the final EIS, the staff addressed nearly 4200 comments received from approximately 400 individuals on the draft EIS, which was issued on September 17, 2004.

The proposed NEF, to be located in Lea County, New Mexico, would produce Uranium-235 (<sup>235</sup>U) enriched up to 5 weight percent by a gas centrifuge process. If the license is approved, facility construction would begin in 2006, and continue for 8 years through 2013. The proposed NEF would begin initial production in 2008, and peak production would be reached in 2013.

The final EIS and SER are the major NRC staff reviews in the licensing process. Several contentions related to the facility are still before the NRC Atomic Safety and Licensing Board. The Commission expects to complete the licensing hearing process in mid-2006.

USEC Inc. submitted an application for a Lead Cascade Facility on February 12, 2003, and a license for the facility was issued on February 24, 2004. The Lead Cascade is a test facility intended to provide operational information on the machines and auxiliary systems as they would be used in commercial application. The Lead Cascade Facility is located at the Portsmouth Gaseous Diffusion Plant (GDP) site in Piketon, OH, and is expected to begin operation late this year.

USEC Inc. submitted a license application for the American Centrifuge Plant (ACP) on August 23, 2004. The ACP would be an expansion of the Lead Cascade facility at the Portsmouth GDP site in Piketon, OH, and is a proposed 3.5 million Separative Work Units (SWU)/year plant that would operate at up to 10 percent <sup>235</sup>U enrichment. An SWU is a unit of enrichment that measures the effort required to separate isotopes of uranium. The application was reviewed and accepted by NRC staff on October 7, 2004, and safety, security, and environmental reviews are on going. Additionally, USEC Inc. has submitted four revisions to the application. The SER is expected to be issued in February 2006. NRC expects to issue the draft EIS in September 2005 and the final EIS in April 2006. The Commission has ordered mandatory hearings for this application, and has directed completion of the licensing review process within 30 months of the application.

For more information related to gas centrifuge uranium enrichment facility licensing, visit our website at <http://www.nrc.gov/materials/fuel-cycle-fac/gas-centrifuge.html>.

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## **FUEL CYCLE INSPECTION PROGRAM PROCEDURE REVISION WORKSHOP**

Region II Division of Fuel Facility Inspection (DFFI) conducted a procedure revision workshop assisted by the Technical Support Group (TSG) of the Division of Fuel Cycle Safety and Safeguards (FCSS) on August 4, 2005, in the Region II Atlanta office. DFFI and FCSS held the workshop as part of an initiative to revise fuel cycle inspection procedures to consolidate inspection activities and incorporate increased risk-informing to reflect revisions to 10 CFR Part 70, Subpart H. The workshop began with an introduction and welcoming remarks by Dr. William Travers, the Region II Regional Administrator. Dr. Travers discussed the U.S. Nuclear Regulatory Commission's (NRC) goal to better risk-inform inspection procedures and the licensees' associated efforts to perform integrated safety analyses. The meeting was facilitated by Chip Cameron, of NRC's Office of the General Counsel. The workshop consisted of facilitated discussions of procedure revisions, NRC-proposed enforcement policy revisions, and fuel cycle industry views on enforcement policy. The majority of the workshop involved NRC staff presenting proposed revisions to fuel cycle inspection procedures.

David Ayres, Chief of DFFI, Branch 1, presented the basis for the decision to revise the fuel cycle inspection procedures. NRC's three main goals were to emphasize a risk-informed focus for inspection activities, consolidate and reduce duplication among inspection procedures and technical safety disciplines, and create a more uniform procedure format and content. Inspection procedure changes included modifying eight procedures, drafting six new procedures and eliminating 14 procedures whose requirements were either incorporated into other procedures or eliminated as duplicative. Significant procedure changes include: (1) the replacement of the existing criticality safety procedure with three new procedures; (2) the consolidation of the chemical safety inspection procedure suite (11 procedures) into other procedures; and (3) creation of new procedures to address issues related to the revised 10 CFR Part 70, Subpart H. NRC staff addressed comments on the draft procedures received from the public before the meeting and responded to questions from the public during presentations on individual inspection procedures.

NRC staff presented proposed policy changes addressing Subpart H issues such as items relied on for safety (IROFS). Staff noted that NRC enforcement policy regarding fuel cycle facilities is contained in the NUREG-1600, Supplement IV which, although broad, does not address issues related to Subpart H revisions, such as failure of IROFS, management measure degradation, or consideration of uncredited controls. The NRC staff presentation: (1) reviewed new Subpart H requirements and definitions; (2) discussed the significance of controls that are credited for meeting performance requirements but are not IROFS; (3) presented examples of how uncredited safety controls affect the risk significance of upset conditions; and (4) discussed how IROFS and uncredited controls might be considered during enforcement proceedings. Staff emphasized that proposed new criteria are consistent with Subpart H and past practice, are risk-informed and provide appropriate flexibility.

After completion of the enforcement policy presentation, representatives of the Nuclear Energy Institute (NEI) presented a high-level proposal for enhancing NRC enforcement policy regarding Subpart H changes. The NEI proposal emphasized a graded approach for dispositioning issues such as failure of IROFS, management measure degradation, or procedural non-compliances, based on whether the performance requirements of Subpart H continued to be met. The NEI proposal

also discussed the importance of an adequate problem identification, resolution, and correction system for purposes of timely identification and correction of event precursors before recurrent failures result in the performance requirements not being met.

At the conclusion of the meeting, the staff reviewed comments received and discussed further steps to complete the procedure revision initiative. Staff expects written comments from the fuel cycle industry by September 6, 2005. Staff agreed to consider feedback such as proposed additional procedure revisions and potential additional workshops.

(Contact: Dennis Morey, Division of Fuel Cycle Safety and Safeguards, 301-415-6107; e-mail: dcm@nrc.gov)

### **DISCONNECTED MICROPHONE CLIP LEADS to INTERRUPTION of PATIENT TREATMENT**

Recently, the shielding jaws of a Leksell gamma stereotactic radiosurgery unit (Elekta Instrument AB, Model 23004, Type B) failed to fully open during a patient treatment. Two of five planned treatment shots were successfully delivered when the shielding jaws failed to fully open at the beginning of the third shot. The unit's sensors prevented the unit from allowing the patient couch to travel to a treatment position and caused the shielding jaws to close. After an investigation, it was discovered that the metal clip that held the microphone to the patient couch assembly had fallen into the jaw mechanism. The licensee believes the metal clip may have been knocked out of its position by inadvertent contact with the patient's shoulder during one of the previous couch movements.

This licensee reported that the microphone clip had become detached from the couch assembly in the past, but previously had not caused any problems with patient treatments. This licensee noted that this microphone appeared to be smaller than earlier microphones and did not fit tightly into the clip. Licensees should be aware that the metal clip that holds the microphone for this model of gamma stereotactic radiosurgery unit can become dislodged, and ensure that the metal clip and other small objects are secured against falling into the unit.

(Contact: Cindy Flannery, Office of Nuclear Material Safety and Safeguards, 301-415-0223, e-mail: cmf@nrc.gov)

## **GENERIC COMMUNICATIONS ISSUED (May 1, 2005 - August 31, 2005)**

### *Information Notices (IN)*

**IN 2005-12, "Excessively Large Criticality Safety Limits Fail to Provide Double Contingency at Fuel Cycle Facility,"** was issued on May 17, 2005. This IN was issued to all licensees authorized to possess a critical mass of special nuclear material.

(Technical Contact: Dennis Morey, NMSS, 301-415-6107; e-mail: dcm@nrc.gov)

**IN 2005-13, "Potential Non-conservative Error in Modeling Geometric Regions in the Keno-v.a Criticality Code,"** was issued on May 17, 2005. This IN was issued to all licensees using the Keno-V.a criticality code module in Standardized Computer Analyses for Licensing Evaluation (SCALE) software developed by Oak Ridge National Laboratory (ORNL).

(Technical Contact: Lawrence Berg, NMSS, 301-415-6215; e-mail: ljb2@nrc.gov)

**IN 2005-17, "Manual Brachytherapy Source Jamming,"** was issued on June 23, 2005. This IN was issued to all medical licensees authorized to possess a Mick applicator.

(Technical Contacts: Nima Ashkeboussi, NMSS, (301) 415-7637; e-mail: naa@nrc.gov; John P. Jankovich, NMSS, (301) 415-7904, e-mail: jjp2@nrc.gov)

**IN 2005-22, "Inadequate Criticality Safety Analysis of Ventilation Systems at Fuel Cycle Facilities,"** was issued on July 29, 2005. This IN was issued to all licensees authorized to possess a critical mass of special nuclear material.

(Technical Contact: Dennis Morey, NMSS, 301-415-6107; e-mail: dcm@nrc.gov)

### *Regulatory Issue Summaries (RIS)*

**RIS 2005-10, "Performance-Based Approach for Associated Equipment in 10 CFR 34.20,"** was issued on June 10, 2005. This RIS was issued to all industrial radiography licensees and manufacturers and distributors of industrial radiography equipment.

(Technical Contacts: J. Bruce Carrico, NMSS 301-415-7826; e-mail: jbc@nrc.gov; Thomas Young, NMSS, 301-415-5795; e-mail: tfy@nrc.gov)

**RIS 2005-11, “Requirements for Power Reactor Licensees in Possession of Devices Subject to the General License Requirements of 10 CFR 31.5,”** was issued on July 11, 2005. This RIS was issued to all holders of operating licenses for nuclear power reactors and generally licensed device vendors.

(Technical Contacts: Stephen P. Klementowicz, NRR, (301) 415-1084; e-mail: [sxk@nrc.gov](mailto:sxk@nrc.gov); Anthony S. Kirkwood, NMSS, (301) 415-6140; e-mail: [ask@nrc.gov](mailto:ask@nrc.gov))

**RIS 2005-12, “Transportation of Radioactive Material Quantities of Concern NRC Threat Advisory and Protective Measures System,”** was issued July 11, 2005. This RIS was issued to licensees authorized to possess radioactive material that equals or exceeds the threshold values in the Additional Security Measures (ASM) for transportation of Radioactive Material Quantities of Concern (RAMQC) under their 10 CFR Part 30, 32, 50, 70, and 71 licenses and Agreement State licensees similarly authorized to possess such material in such quantities under their Agreement State licenses.

(Technical Contact: Rocky Foster, NSIR/DNS, (301) 415-7670; e-mail: [rdf@nrc.gov](mailto:rdf@nrc.gov))

**RIS 2005-13, “NRC Incident Response and the National Response Plan,”** was issued on July 13, 2005. This RIS was issued to all licensees and certificate holders.

(Technical Contact: Thomas A. Kevern, NSIR, 301-415-0224; e-mail: [tak@nrc.gov](mailto:tak@nrc.gov))

**RIS 2005-15, “Reporting Requirements for Damaged Industrial Radiographic Equipment,”** was issued on August 3, 2005. This RIS was issued to all material licensees possessing industrial radiographic equipment, regulated under 10 CFR Part 34.

(Technical Contacts: Angela R. McIntosh, NMSS, (301) 415-5030; e-mail: [arm@nrc.gov](mailto:arm@nrc.gov); Michael M. LaFranzo, R-III, (630) 829-9865; e-mail: [mml@nrc.gov](mailto:mml@nrc.gov))

**RIS 2005-16, “Management Directive 8.17, Licensee Complaints Against NRC Employees”** was issued on August 10, 2005. This RIS was issued to all licensees and certificate holders.

(Technical Contact: David K. Allsopp, NRR, 301-415-3073; e-mail: [dka@nrc.gov](mailto:dka@nrc.gov))

**RIS 2005-18, “Guidance for Establishing and Maintaining a Safety Conscious Work Environment,”** was issued on August 25, 2005. This RIS was issued to all licensees, applicants for licenses, holders of certificates of compliance, and their contractors subject to NRC authority.

(Technical Contact: Lisamarie L. Jarriel, OE, 301-415-8529; email: [llj@nrc.gov](mailto:llj@nrc.gov))

(General Contact: Angela R. McIntosh, NMSS, 301-415-5030; e-mail: [arm@nrc.gov](mailto:arm@nrc.gov))

## **SIGNIFICANT MEDICAL EVENTS (June 1 - August 31, 2005)**

### ***Event 1: Medical Event at St. Johns Mercy Hospital Center (Correction)***

*Date and Place:* March 9, 2005, St. Louis, Missouri

*Nature and Probable Causes:* The licensee reported that a 5 month-old infant was prescribed 18.5 megabecquerels (MBq) [0.5 millicuries (mCi)] of Technetium-99m (Tc-99m) myoview sulfur colloid, but instead received 429.2 MBq (11.6 mCi) of Tc-99m myoview sulfur colloid. Personnel did not look at the label when measuring the dose to be administered. The whole body dose to the infant was calculated to be between 5.2 and 10 centisieverts (rem). The physician has informed the infant’s parents.

*Correction:* In the July 2005 edition of the [NMSS Licensee Newsletter](#), it was incorrectly reported that an infant was administered 429.2 MBq (11.6 mCi) of Tc-99m “myoview sulfur colloid” instead of the correct dosage of 18.5 MBq (0.5 mCi) Tc-99m “myoview sulfur colloid.” In fact, the infant was incorrectly administered 414.4 MBq (11.2 mCi) of Tc-99m myoview, instead of the prescribed dosage of 18.5 MBq (0.5 mCi) of Tc-99m sulfur colloid for a gastric emptying study.

Furthermore, at the time this submission went to press, the licensee was still determining corrective actions. NRC has learned that corrective actions included counseling the technologist, revising procedures, and retraining staff.

### ***Event 2: Possible Overexposure at Inland Dredging Company***

*Date and Place:* July 18, 2005, Dyersburg, Tennessee

*Nature and Probably Causes:* Alabama Radiation Control reported that a licensee illegally removed and shipped a Ronan source holder (Model SA-1), which contained a Cesium -137 source with an activity of 7.4 gigabecquerel (200 millicurie), from its dredge near Jackson, Alabama, to the Ronan Engineering Company. The shutter was not locked in the closed position, but the licensee stated that it had closed the shutter and placed a bolt through the mechanism to lock it closed. The licensee contends that the shutter handle was broken during shipping. It was reported that the licensee had painted over the marking and labeling on the source holder so that they were illegible. The licensee stated that it had removed the paint from the identification placard on the source head. The licensee has hired a consultant to reconstruct the incident and try to determine any possible exposures received. The gauge is currently in the possession of Ronan Engineering Company. Ronan performed a survey of the device and found maximum exposure readings of 15 microsievert/hour (1.5 millirem/hour) at 1 meter. During shipping, the device went through five terminals and appears to have been transferred to different trucks in each terminal. An Alabama licensee authorized to service industrial gauges has been contracted to investigate the event. That company is traveling to Ronan to obtain further information and has set up interviews with personnel at the transport terminals.

### ***Event 3: Medical Event at University of Texas Southwestern Medical Center***

*Date and Place:* August 15, 2005, Dallas, Texas

*Nature and Probable Causes:* The licensee reported that a patient received 1,451 centigray (cGy) (rad), instead of the intended 550 cGy (rad), during the first of two fractions for vaginal cancer treatment. The patient was scheduled to receive 1100 cGy (rad) in two fractions during remote high-dose-rate afterloader treatment using Iridium -192. The first fraction was oriented interior 4.5 centimeters, resulting in a dose of 164 percent greater than intended. The second fraction was not administered and the patient is not returning for further treatment.

(Contact: Angela McIntosh, Office of Nuclear Material Safety and Safeguards, 301-415-5030, e-mail: arm@nrc.gov)

### **UNDERSTANDING 10 CFR 35.3045(a)(3) WRONG TREATMENT SITE REPORTABLE MEDICAL EVENT**

*Correction:* In the July 2005 edition of the NMSS licensee Newsletter, some of the international units in the last paragraph of the article “Understanding 10 CFR 35.3045(a)(3) Wrong Treatment Site Reportable Medical Event” were incorrect. The paragraph should have read:

If the “wrong site” was not expected to receive any dose during the correct administration, and it received 0.5 sieverts (Sv) (50 rem), the medical event needs to be reported. If the “wrong site” was suppose to receive 0.1 Sv (10 rem) during the correct administration but received 0.6 Sv (60 rem), the medical event would be reportable. In this case the “wrong site” received more than 0.5 Sv (50 rem), as well as receiving more than 50 percent of what it should have. If the “wrong site” was suppose to receive 0.1 Sv (10 rem) and it received 0.4 Sv (40 rem), the medical event would not be reportable because the dose to the “wrong site” was under 0.5 Sv (50 rem) even though the “wrong site” received more than 50 percent of what it should have. For permanent implants, NRC recognizes that the sources may migrate after being implanted in the correct site. This migration would not result in a reportable event under 10 CFR 35.3045(a)(3).

(Contact: Donna-Beth Howe, PhD, Office of Nuclear Material Safety and Safeguards, 301-415-7848; e-mail: dbh@nrc.gov)

### **SELECTED FEDERAL REGISTER NOTICES (June 1, 2005 - August 31, 2005)**

10 CFR Parts 25 and 95 [RIN 3150-AH52], “Broadening Scope of Access Authorization and Facility Security Clearance Regulations,” 70 FR 32224, June 2, 2005.

(Contact: Dr. Anthony N. Tse, Office of Nuclear Material Safety and Safeguards, 301-415-6233; e-mail: ant@nrc.gov)

10 CFR Part 72 [RIN 3150-AH64], “List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision 2,” 70 FR 32977, June 7, 2005.

(Contact: Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, 301-415-6219; e-mail: jmm2@nrc.gov)

10 CFR Part 9 [RIN 3150-AH12], “Public Records,” 70 FR 34303, June 14, 2005.

(Contact: Russell Nichols, Office of Information Services, 301-415-7169; e-mail: FOIA@nrc.gov)

10 CFR Part 20 [Docket No. PRM-20-26], “James Salsman, Receipt of Petition for Rulemaking,” 70 FR 34699, June 15, 2005.

(Contact: Michael T. Lesar, Chief, Office of Administration, 301-415-7163 or Toll Free: 800-368-5642; e-mail: mtl@nrc.gov)

10 CFR Part 72 [RIN 3150-AH70], “List of Approved Spent Fuel Storage Casks: VSC-24 Revision 5,” 70 FR 37647, June 30, 2005.

(Contact: Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, 301-415-6219; e-mail: jmm2@nrc.gov)

10 CFR Parts 71 and 73, “Governors’ Designees Receiving Advance Notification of Transportation of Nuclear Waste,” 70 FR 37873, June 30, 2005.

(Contact: Rosetta O. Virgilio, Office of State and Tribal Programs, 301-415-2367; e-mail: rov@nrc.gov)

10 CFR Part 110 [RIN 3150-AH44], “Export and Import of Radioactive Materials: Security Policies,” 70 FR 37985, July 1, 2005.

(Contact: Suzanne Schuyler-Hayes, Office of International Programs, 301-415-2333; e-mail: ssh@nrc.gov)

10 CFR Parts 20, 32, and 150 [RIN: 3150-AH48], “National Source Tracking of Sealed Sources,” 70 FR 43646, July 28, 2005.

(Contact: Merri Horn, Office of Nuclear Material Safety and Safeguards, 301-415-8126; e-mail: mlh1@nrc.gov)

10 CFR Part 51 [Docket No. PRM-51-9], “State of Nevada; Receipt of Petition for Rulemaking,” 70 FR 47148, August 12, 2005.

(Contact: Michael T. Lesar, Office of Administration, 301-415-7163 or toll-free: 1-800-368-5642; email: mtl@nrc.gov)

10 CFR Part 51 [Docket No. PRM-51-8], “State of Nevada; Denial of a Petition for Rulemaking,” 70 FR 48329, August 12, 2005.

(Contact: Keith I. McConnell, Office of the General Counsel, 301-415-1743, e-mail: kim@nrc.gov; or E. Neil Jensen, Office of the General Counsel, 301-415-1537, e-mail: enj@nrc.gov)

10 CFR Part 26 [RIN 3150-AF12], “Fitness for Duty Programs,” 70 FR 50442, August 26, 2005.

(Contact: Rebecca L. Karas, Office of Nuclear Reactor Regulation, 301-415-3711; Timothy S. McCune, Office of Nuclear Security and Incident Response, 301-415-6474; or Dr. David R. Desaulniers, Office of Nuclear Reactor Regulation, 301-415-1043. All of the above contacts may also be reached by e-mail to: FITNESSFORDUTY@NRC.GOV)

10 CFR Chapter I “Energy Policy Act of 2005 Requirements; Treatment of Accelerator-Produced and Other Radioactive Material as Byproduct Material; Waiver,” 70 FR 51581, August 31, 2005.

(Contact: Susan Chidakel, Office of the General Counsel, 301-415-1535, e-mail: ssc@nrc.gov or Merri Horn, Office of Nuclear Material Safety and Safeguards, 301-415-8126, e-mail: mlh1@nrc.gov)

(General Contact: Michael K. Williamson, Office of Nuclear Material Safety and Safeguards, 301-415-6234; e-mail: mkw1@nrc.gov)

## **SIGNIFICANT ENFORCEMENT ACTIONS**

The NRC’s enforcement program can be accessed via the U. S. Nuclear Regulatory Commission’s (NRC’s) homepage [<http://www.nrc.gov/>] under “What We Do.” Documents related to cases can be accessed at [<http://www.nrc.gov/>], “Electronic Reading Room,” “Documents in ADAMS.” ADAMS is the Agency wide Document Access and Management System. Help in using ADAMS is available from the NRC Public Document Room, telephone: 301-415-4737 or 1-800-397-4209.

### **Gauges**

#### **Harsco Cororation (EA-05-121)**

On August 15, 2005, a Notice of Violation (NOV) was issued for a Severity Level III violation involving the licensee’s failure to appoint a new Radiation Safety Officer (RSO) when the previous RSO left the company. Three additional violations that were not considered for escalated enforcement were discussed in the NOV.

#### **Craig Testing Laboratories, Inc. (EA-05-109)**

On August 5, 2005, a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$3250 was issued for a Severity Level III problem involving the: (1) failure to control and

maintain constant surveillance of a portable gauge; (2) failure to lock the portable gauge and its transportation case during transport; and (3) failure to comply with the applicable requirements of the Department of Transportation regulations.

**Froehling and Robertson, Inc.** (EA-05-132)

On July 12, 2005, a Notice of Violation was issued for a Severity Level III violation involving the failure to secure, control or maintain constant surveillance of a portable nuclear gauge containing NRC licensed material in an unrestricted area while it was not in storage. Specifically, the gauge user left the gauge unattended for approximately 10 minutes. During the time period that the gauge was not in direct line of sight with the operator, the gauge was damaged when it was run over by a sheepsfoot roller. The damage to the gauge did not result in removal of the source from its shielded position, nor did it cause any leakage from the source.

**David Blackmore & Associates** (EA-05-092)

On June 27, 2005, a Notice of Violation was issued for a Severity Level III violation involving the failure to secure, control or maintain constant surveillance of a portable nuclear gauge containing NRC licensed material in an unrestricted area while it was not in storage. Specifically, a portable gauge was damaged when it was run over by a bulldozer after an authorized gauge operator left it unattended for approximately 10 minutes at a job site. The damage to the gauge did not result in removal of the source from its shielded position, nor did it cause any leakage from the source.

**Radiography**

**MISTRAS Holding Group D/B/A:  
Conam Inspection and Engineer Services, Inc.**  
(EA-05-120)

On August 17, 2005, a Notice of Violation was issued for a Severity Level III violation involving the licensee's failure to secure from unauthorized removal, or limit access to NRC licensed material in a radiographic exposure device at a temporary job site (an unrestricted area), or to control and maintain constant surveillance of this licensed material. Specifically, the licensee left the locked radiographic exposure device on a scaffold at a temporary job site after completing daily work activities.

**High Mountain Inspection Service, Inc.**  
(EA-05-064)

On July 22, 2005, a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$6000 was issued for a Severity Level III

problem consisting of two violations that occurred when the licensee performed radiography at a temporary job site. Specifically, the radiographer was not accompanied by at least one other qualified radiographer, or individual who had at a minimum, met the requirements of 10 CFR 34.43(c) in order to be a radiographer's assistant; and, in addition, the licensee did not provide the second individual with the radiation monitoring equipment required by 10 CFR 34.47(a). An additional violation of NRC requirements was dispositioned as a Severity Level IV violation.

(General Contact: Sally Merchant, Office of Enforcement, 301-415-2747; e-mail: slm2@nrc.gov)

**NOTE TO READERS:** In an effort to keep the NMSS Quarterly Newsletter relevant, useful and informative, feedback regarding the content of the newsletter is welcomed. Readers desiring to contribute articles, self-explanatory diagrams, suggestions for future articles, bulletins, web-site postings, and other items of interest to the NMSS Quarterly Newsletter readership, should contact Michael K. Williamson, from the Office of Nuclear Material Safety and Safeguards, Rulemaking and Guidance Branch. Mr. Williamson may be contacted at (301)415-6234 or mkw1@nrc.gov. In addition, to ensure proper delivery and non-interruption of subscription service, please report any address changes, additions, or deletions to Mr. Williamson.

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