

April 23, 1997

Dr. William H. Hannum
Argonne National Laboratory-East
9700 South Cass Avenue
Argonne, IL 60439

Re: Noncompliance Report NTS-CH-AA-ANLE-ANLE-1996-0001

Dear Dr. Hannum:

This letter refers to the Department of Energy's (DOE) evaluation of Argonne National Laboratory-East's (ANL-E) report of a potential noncompliance with the requirements of 10 CFR 835 (Occupational Radiation Protection). This potential noncompliance, which involved the failure to complete the required radiological worker training or retraining for approximately 30 percent of ANL-E's 797 radiological workers, was identified by ANL-E on December 17, 1996, and reported to DOE on December 20, 1996.

On November 22, 1996, ANL-E initiated a review of the personnel training records of a technician involved in a November 19, 1996, skin contamination incident at the Argonne Tandem Linear Accelerator System. Although the training records for the involved individual were subsequently determined to be current, ANL-E conducted a broader review of the site's radiological training records on December 3, 1996. Further training record review indicated that several ANL-E divisions had not maintained the required radiological training and/or retraining for the divisions' radiological workers. Additionally, one division, the Intense Pulsed Neutron Source, identified 13 radiological workers who had not completed the required retraining and had received measurable individual radiation exposures up to [a specified amount].

Based upon our evaluation, we have concluded that a noncompliance with 10 CFR 835, Radiation Safety Training occurred. This issue raises a concern because of the number of unqualified workers which is indicative of a programmatic weakness in the training and qualification areas of your radiation protection program. DOE would normally issue an enforcement action for a violation of this nature and would consider imposition of civil penalties. However, DOE recognizes that ANL-E identified the training and qualification issue and continued the evaluation of the issue until the full extent of the training problem had been determined. Further, ANL-E implemented corrective actions which required all workers to complete the necessary radiological worker training or retraining by January 31, 1997, and ANL-E has implemented a special one year independent monitoring of the qualification process.

DOE has also evaluated the corrective actions and schedules provided in your Noncompliance Tracking System (NTS) report and has concluded that the corrective actions provide a reasonable approach to correct the identified noncompliance and address the programmatic weakness. DOE has coordinated the review of field implementation of selected corrective actions with DOE-Chicago and has concluded that these actions have been implemented at the facility level.

These corrective actions, coupled with a continuing effort to ensure that the program is fully implemented at the facility level, meet the discretionary criteria described in DOE's nuclear safety enforcement policy. Therefore, the exercise of discretion not to undertake enforcement action at this time is warranted.

If you would like to discuss these matters further, please contact Susan Adamovitz of my staff at (301) 903-0125.

Sincerely,

R. Keith Christopher
Director
Office of Enforcement and Investigation

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