



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

April 20, 2006

Docket No. 03036105

License No. 45-09657-03

Claudia Rankins, Ph.D.
Chair, Department of Physics
Hampton University
Physics Department
Center for Advanced Medical Instrumentation
Hampton, VA 23668

SUBJECT: INSPECTION 03036105/2006001, HAMPTON UNIVERSITY, PHYSICS DEPARTMENT, HAMPTON, VIRGINIA AND THE JEFFERSON NATIONAL LABORATORY, NEWPORT NEWS, VIRGINIA, AND NOTICE OF VIOLATION

Dear Dr. Rankins:

On February 27, 2006, Betsy Ullrich of this office conducted a safety inspection at the Jefferson National Laboratory, Newport News, Virginia, of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of interviews with personnel. Additional information, provided during an April 5, 2006, telephone conversation between Ms. Ullrich and Dr. Paul Guèye of your organization, and in your correspondence dated April 11, 2006, were also examined as part of the inspection. The findings of the inspection were discussed with Dr. Gueye on April 5, 2006.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed that categorizes the violation by severity level. The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed on the docket in the letter dated April 11, 2006. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Toolkit Index Page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

C. Rankins
Hampton University

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Your cooperation with us is appreciated.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Paul L. J. Guèye, Radiation Safety Officer
Commonwealth of Virginia

C. Rankins
Hampton University

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NOTICE OF VIOLATION

Hampton University
Hampton, VA

Docket No. 03036105
License No. 45-09657-03

During an NRC inspection conducted on February 27 , April 5 and April 17, 2006, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition No. 11 of License No. 45-09657-03 states that the Radiation Safety Officer for the license is Douglas A. Kieper.

Contrary to the above, from 2005 to present, the Radiation Safety Officer appointed by the Department of Physics is Paul L. J. Guèye, Ph.D. but this appointment was not submitted to the NRC for review and amendment of the license.

This is a Severity Level IV violation (Supplement VI).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated This 20th day of April, 2006