



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

December 12, 2006

Docket No. 03005302

License No. 29-04236-01

Bart Kaplan  
General Manager  
Canberra Dover, Inc.  
P. O. Box 937  
Dover, NJ 07801

SUBJECT: INSPECTION 030-05302/2006-001, CANBERRA DOVER, INC., DOVER, NEW JERSEY AND NOTICE OF VIOLATION

Dear Mr. Kaplan:

On December 4, 2006, Betsy Ullrich of this office conducted a safety inspection at 58 Richboynton Road, Dover, New Jersey 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 observations by the inspector, interviews with personnel, and a selected examination of representative records. The findings of the inspection were discussed with Jack Cooley and Norman Bischoff of your organization at the conclusion of the inspection.

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 each violation by severity level. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

Current NRC regulations are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. The current Enforcement Policy is included on the NRC's website at [www.nrc.gov](http://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 8:00 p.m. EST, Monday through Friday (except Federal holidays).

B. Kaplan  
Canberra Dover, Inc.

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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:  
Norman Bischoff, Radiation Safety Officer  
State of New Jersey

B. Kaplan  
Canberra Dover, Inc.

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D. J. Holody, RI

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**SUNSI Review Complete: EUllrich**

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DATE	12/12/06		12/12/06				

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## NOTICE OF VIOLATION

Canberra Dover, Inc.  
Dover, NJ

Docket No. 03005302  
License No. 29-04236-01

During an NRC inspection conducted on December 4, 2006, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. License Condition 16.A requires that sealed sources be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration. The certificates of registration for the sealed sources in use specify an interval of 6 months. License Condition 16.B requires that sealed sources designed to primarily emit alpha particles be tested for leakage and/or contamination at intervals not to exceed 3 months.

Contrary to the above, as of December 4, 2006, sealed sources designed to emit alpha, beta, and/or gamma radiation have not been leak tested since April 27, 2006.

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

- B. License Condition 16.G requires that the leak test be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. 10 CFR 20.1501(b) requires that the licensee ensure that its instruments and equipment used for quantitative radiation measurements are calibrated periodically for the radiation measured.

Contrary to the above, as of December 4, 2006, the licensee did not calibrate the equipment used to perform leak tests for radionuclides that emit alpha or beta radiation, and did not know if the current equipment was capable of detecting the presence of 0.005 microcurie of alpha or beta radiation, although some of the sealed sources in use emit only alpha or beta radiation.

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

Pursuant to the provisions of 10 CFR 2.201, Canberra Dover, Inc. Is hereby required to submit a written statement or explanation 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). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or

revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

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 12 day of December 2006