



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

CK, SWS, VHH
KNS, RLB
MO file 61

SEP 11 1992

MEMORANDUM FOR: Carlton Kammerer, Director
Office of State Programs

FROM: Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: TECHNICAL ASSISTANCE TO THE STATE OF MARYLAND ON THE
NEUTRON PRODUCTS, INC., LICENSE

In response to your memorandum dated August 18, 1992, we have reviewed the technical assistance request from the State of Maryland. The Office of Nuclear Material Safety and Safeguards (NMSS) and Region I are prepared to commit NMSS and regional staff resources to assist the State in identifying and documenting technical concerns in the three areas identified in the letter. However, it is not appropriate for the Nuclear Regulatory Commission to perform an in-depth analysis of all the concerns identified in the State's letter because the responsibility to investigate most of the concerns lies with the licensee rather than the regulatory agency. Based on our experience, a Demand for Information or possibly an Order should be issued by the State of Maryland as a means of obtaining the information.

We have prepared the enclosed draft response to the State of Maryland. We suggest that one individual in either the Office of State Programs or Region I be designated as the primary staff contact for the State on the project. This individual would be responsible for coordinating all NRC involvement on the project.

The designated NMSS contact for coordinating technical assistance within NMSS is Michael Lamastra. He can be reached at 504-3416.

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

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DRAFT

Roland G. Fletcher, Administrator
Radiological Health Program
State of Maryland
Department of the Environment
2500 Broening Highway
Baltimore, Maryland 21224

Dear Mr. Fletcher:

This letter responds to your request for technical assistance dated August 6, 1992, regarding radiation safety concerns at Neutron Products, Inc., (NPI). The Nuclear Regulatory Commission is prepared to commit staff resources to assist the State in identifying and documenting technical concerns in the three areas identified in your letter. However, it is not appropriate for the NRC to perform an in-depth analysis of all the concerns identified in your letter since the State of Maryland should require the licensee, NPI, to analyze and address these matters. As you requested, we will assist you in conducting a joint inspection in order to document the technical concerns in sufficient depth to serve as a basis for enforcement action by the State as necessary. Based on our experience, a Demand for Information or possibly an Order may be the appropriate next step for this site. We will be pleased to discuss this further at our next meeting following the inspection.

_____ has been designated to be the NRC project manager for coordinating all NRC technical assistance. Please feel free to contact him/her at _____ to discuss your specific needs.

Sincerely,

Carlton Kammerer, Director
Office of State Programs

cc: W. F. Kane
Deputy Regional Administrator, Region I

R. M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards