NRC FORM 591M PART 1
(10-2003)
10 CFR 2.201

U.S. NUCLEAR REGULATORY COMMISSION

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED:	2. NRC/REGIONAL OFFICE
Department of the Army U.S. Army Aberdeen Test Center 400 Colleran Road Aberdeen Proving Ground, Maryland 21005-5059 REPORT Nos 2010-001	**U.S. Nuclear Regulatory Commission** **Region I, 475 Allendale Road** **King of Prussia, Pennsylvania 19406-1415**

3. DOCKET NUMBER(S)	4. LICENSE NUMBER(S)	5. DATE(S) OF INSPECTION
070-02302	SNM-1649	May 18 & 19, 2010

LICENSEE:

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

☐ 1. Based on the inspection findings, no violations were identified.

☐ 2. Previous violation(s) closed.

☒ 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, NUREG-1600, to exercise discretion, were satisfied.

☒ Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(s):

10 CFR 70.3 requires, in part, that except for persons exempted, no person shall receive title to, own, acquire, deliver, receive, possess, use, or transfer special nuclear material except as authorized in a license issued by the Commission pursuant to these regulations.

Contrary to the above, between April 22, 1987 and March 3, 2010, Department of the Army Aberdeen Test Center possessed U-235 contained in a cylinder and condensing coil (Cold Trap) without a NRC license authorizing this material, and was not exempt from the requirements for a license. The licensee has amended their licensed, performed a records search to look for other material, and performed cleanout of old material storage associated with their Army Pulse Radiation Facility as corrective actions.

☐ 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

Licensee's Statement of Corrective Actions for Item 4, above.

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE			
NRC INSPECTOR	Dennis Lawyer	*/RA/*	5/21/2010

SUNSI Review Completed By: */ RA /* Dennis Lawyer ☒ Public ☒ Non-Sensitive