

August 10, 2010

Stephen Bedi, Provost  
Taylor University  
236 Reade Avenue  
Upland, IN 46989

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-14763/10-01(DNMS) AND  
NOTICE OF VIOLATION – TAYLOR UNIVERSITY

Dear Mr. Bedi:

On July 15, 2010, the U.S. Nuclear Regulatory Commission (NRC) conducted an inspection at your Upland, Indiana facility, with continued NRC in-office review through July 27, 2010. The continued in-office review included receipt and review of information that was unavailable during the onsite inspection, including information about physical inventories of licensed material. On July 27, 2010, Robert Gattone of my staff conducted a telephonic exit meeting with Dan Hammond of your staff to discuss the inspection findings.

This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred involving failure to provide timely notification to the NRC that principal activities had not been conducted for a period of 24 consecutive months, and failure to conduct physical inventories of licensed material at the required frequency. These violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at (<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>).

The violations are cited in the enclosed Notice of Violation (Notice). The violations are being cited in the Notice because they were identified by the inspector.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the information notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

S. Bedi

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Violation 2 is a repeat violation. Therefore, in your response to that violation, describe the corrective actions you have taken or planned that are different than those taken in response to the similar violation that was identified during the September 22, 2004, Inspection Report No. 030-14763/04-01, and discuss why you believe your corrective actions will be more successful to prevent a similar violation.

In accordance with Title 10 Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, Proprietary, or safeguards information so that it can be made available to the Public without redaction.

Sincerely,

*/RA/*

Tamara E. Bloomer, Chief  
Materials Inspection Branch

Docket No. 030-14763  
License No. 13-04004-02

Enclosures:  
Notice of Violation

cc: Indiana  
Dan Hammond, RSO

S. Bedi

-2-

Violation 2 is a repeat violation. Therefore, in your response to that violation, describe the corrective actions you have taken or planned that are different than those taken in response to the similar violation that was identified during the September 22, 2004, Inspection Report No. 030-14763/04-01, and discuss why you believe your corrective actions will be more successful to prevent a similar violation.

In accordance with Title 10 Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, Proprietary, or safeguards information so that it can be made available to the Public without redaction.

Sincerely,

*/RA/*

Tamara E. Bloomer, Chief  
Materials Inspection Branch

Docket No. 030-14763  
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Enclosures:  
Notice of Violation

cc: Indiana  
Dan Hammond, RSO

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## NOTICE OF VIOLATION

Taylor University  
Upland, Indiana

Docket No. 030-14763  
License No. 13-04004-02

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on July 15, 2010, with continued in-office review through July 27, 2010, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. Title 10 Code of Federal Regulations (CFR) 30.36(d) requires, in part, that licensees provide notification to the NRC in writing within 60 days of any of the following occurrences:
1. The license has expired,
  2. The licensee has decided to permanently cease principal activities at the entire site or in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements,
  3. No principal activities under the license have been conducted for a period of 24 months, or
  4. No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.

Contrary to the above, as of July 12, 2010, no principal activities under the license had been conducted for a period of 24 months, and the licensee failed to notify the NRC in writing within 60 days of this occurrence. Specifically, the licensee had not conducted principal activities under the license since before September 22, 2004, and the licensee did not notify the NRC of this occurrence until July 21, 2010.

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

- B. Condition 19 of NRC License No. 13-04004-02 requires that the licensee conduct a physical inventory every 6 months to account for all radioactive material received and possessed under the license.

Contrary to the above, the licensee failed to conduct a physical inventory every 6 months to account for all radioactive material received and possessed under the license. Specifically, the licensee failed to conduct a physical inventory to account for all radioactive material received and possessed under the license between April 30, 2007, and August 15, 2009, a period greater than 6 months.

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

Pursuant to the provisions of 10 CFR 2.201, Taylor University is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region III, 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 or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; 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, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html> to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

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

Dated this 10<sup>TH</sup> day of August 2010.