



August 31, 2010

Ms. Tamara E. Bloomer, Chief  
Materials Inspection Branch  
United States Nuclear Regulatory Commission  
2443 Warrenville Road, Ste 210  
Lisle, IL 60532-4352

Dear Ms. Tamara E. Bloomer,

Included with this letter, please find the official response from Taylor University regarding the Notice of Violation that Taylor University received from the United States Nuclear Regulatory Commission, Region III, dated August 10, 2010, Docket No. 030-14763, License No. 13-04004-02.

Two Severity Level IV violations (Supplement VI) were identified in the Notice of Violation. Taylor University accepts the finding of these two violations, and Taylor University has taken steps to address both of these violations. The details of Taylor University's response to these two violations are provided in the attached document. In this letter, I will provide a brief summary of the steps we have taken to address these violations.

1. Regarding the failure of Taylor University to inform the NRC within 60 days of the cessation of activities with regulated radioactive sources (CFR 10.30.36(d)), we sent a letter to the NRC on July 21, 2010, stating that we had ceased using these regulated materials. We are now working to safely and properly remove from campus all of the regulated radioactive materials that are currently at Taylor University. We hope to complete this disposal process as quickly as possible.
2. Regarding the failure of Taylor University to conduct a routine physical inventory of regulated radioactive sources (Condition 19 of NRC License No. 13-04004-02), a full physical inventory was conducted on August 15, 2009, and subsequent inventories have been in keeping with the required six month interval. As stated above, we plan to properly remove from Taylor University all regulated radioactive materials using a licensed handler, as soon as possible. If we are unable to complete this removal before subsequent, routine physical inventories should occur, then the University Radiation Safety Officer will personally and directly assist in the completion of the inventories. That is, the Radiation Safety Officer will personally ensure compliance with the inventory requirements by the relevant academic department.

We welcome the opportunity to respond to your letter and Notice of Violation. We believe that we have taken appropriate actions to ensure that we have addressed the two violations noted by the NRC. We also believe that we are taking appropriate steps to avoid any violations in the future. We continue to work to remove all regulated sources from Taylor University using a licensed handler.

Please contact me if we can provide any other helpful or relevant information.

Sincerely,

  
Stephen S. Bedi, EdD  
Provost

Attachment: Reply to Notice of Violation – Docket No. 030-14763

cc: Dr. Mark Biermann, Dean of Natural and Applied Sciences  
Dr. Dan Hammond, Radiation Safety Officer  
Dr. Eugene Habecker, President  
Mr. Ron Sutherland, VP for Business and Finance

Taylor University  
236 W. Reade Avenue  
Upland, IN 46989

Reply to a Notice of Violation  
Docket No. 030-14763  
License No. 13-04004-02

This is our reply to the Notice of Violation (Docket No. 030-14763) sent by the United States Nuclear Regulatory Commission Region III to Taylor University on August 10, 2010. We have outlined our answers to the four questions asked concerning each of the two violations cited in the letter from the USNRC. The two violations are 1) Failure to inform the NRC within 60 days of cessation of activities (CFR 10.30.36(d)); and 2) Failure to conduct a routine physical inventory (Condition 19 of NRC License No. 13-04004-02). Our responses are outlined below:

Violation 1: Failure to inform the NRC within 60 days of cessation of activities (CFR 10.30.36(d)).

1. Reason for the violation:

We were unaware that we needed to inform the NRC of non-use of materials. This was not a factor in previous inspections and is not stipulated in the license.

2. Corrective steps that have been taken:

A letter informing the NRC that we no longer use regulated materials was sent on July 21, 2010.

3. Corrective steps that will be taken:

We are in the process of trying to dispose of all regulated materials via a licensed radioactive waste handler. We then intend to terminate our license. Should we seek a new license for possessing regulated radioactive materials then we would develop a "Radioactive Materials Handling Policy" that would include the requirement for notification when all activities have ceased.

4. The date when full compliance will be achieved:

Full compliance was achieved on July 21, 2010 with the submission of our letter of notification that we have ceased using regulated radioactive materials.

Violation 2: Failure to conduct a routine physical inventory (Condition 19 of NRC License No. 13-04004-02).

1. Reason for the violation:

For a period of about 2.5 years from April 30, 2007 to August 15, 2009 the individuals designated to conduct the physical inventory failed to do so. In 2007 this responsibility was

turned over to the Physics Department since all the materials belonged to them. The Radiation Safety Officer (RSO) sent reminders at 6 month intervals to have the inventories done and assumed the inventories had been done and that records were being kept. However, it appears that no records were kept by the Physics Department and that the inventories were not done.

There was no follow-up procedure in place but we have now instituted that as part of our current protocol.

2. Corrective steps that have been taken:

The Physics Department conducted an inventory on August 15, 2009. There have been subsequent inventories within the 6 month intervals since then.

3. Corrective steps that will be taken:

We plan to remove all regulated materials using a licensed handler before the next required inventory and then terminate our license. However, if we cannot get the materials removed before that time then the RSO will directly assist in or conduct the inventory and any subsequent inventories that may be needed. Should we seek a new license for possessing regulated radioactive materials then we would develop a "Radioactive Materials Handling Policy" that would include the strict requirement for six month inventories.

4. The date when full compliance will be achieved:

Full compliance was achieved on August 15, 2009 with a physical inventory and subsequent inventories.



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