



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

November 1, 2010

Docket No. 03035149

License No. 09-23866-01E

Patricia Garst
Assistant Radiation Safety Officer
Amglo Kemlite Laboratories, Inc.
8787 Enterprise Blvd.
Largo, FL 33773

SUBJECT: NRC INSPECTION REPORT NO. 03035149/2010001, AMGLO KEMLITE
LABORATORIES, INC., LARGO, FLORIDA SITE AND NOTICE OF VIOLATION

Dear Ms. Garst:

On September 1, 2010, Dennis Lawyer of this office conducted a safety inspection at 12400 Enterprise Boulevard, Largo, Florida 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 selective examination of representative records. Additional information provided in your correspondence dated October 4, 2010, and the telephone conversations on September 14 and October 25, 2010, between you and this office, was also examined as part of the inspection. The findings of the inspection were discussed with you at the conclusion of the inspection on October 25, 2010.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one Severity Level 4 violation of NRC requirements occurred. The violation involved the failure to label the packaging of the lamps as stated in the application dated July 18, 1999. The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC. During our inspection exit meeting you concurred with the finding. You stated that you have taken corrective and preventative action to address the violation and that Amglo Kemlite Laboratories, Inc. is committed to radiation safety and to compliance with NRC regulations and licensed conditions.

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.

In accordance with 10 CFR 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 document system (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your

P. Garst

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response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications Page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC; How We Regulate; Enforcement**; then **Enforcement Policy**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

Please contact Mr. Lawyer at 610-337-5366 if you have any questions regarding this matter.

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:
State of Florida

P. Garst

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James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
State of Florida

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	DLawyer JPD For		JDwyer JPD			
DATE	10/29/2010		11/1/2010			

ML103060209

NOTICE OF VIOLATION

Amglo Kemlite Laboratories, Inc.
Largo, FL

Docket No. 03035149
License No. 09-23866-01E

During an NRC inspection conducted on September 1, 2010, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition 14 of byproduct materials license 09-23866-01E, requires in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, in the license application dated July 18, 1999.

Section 5.2, of the license application dated July 18, 1999, Licensing and Registration, specified, in part, that the packaging used to transfer the lamps will be permanently marked: Amglo Kemlite Laboratories, Inc. Exempt quantity Kr-85.

Contrary to the above, the license did not use packaging permanently marked: Amglo Kemlite Laboratories, Inc. Exempt quantity Kr-85. Specifically, in 2002, the licensee changed its packaging to the new logo that represents Amglo Kemlite Laboratories, Inc. and applied a sticker with the markings <30 MICROCI KR-85, which is labeling not in accordance with the application dated July 18, 1999.

This is a Severity Level IV violation (Enforcement Policy Section 6.3).

Pursuant to the provisions of 10 CFR 2.201, Amglo Kemlite Laboratories, 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

Notice of Violation
Amglo Kemlite Laboratories, Inc.

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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 1st day of November 2010