



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

June 17, 2011

NMED NO.: 110266

Department of Commerce
NOAA/PMEL
ATTN: Mark P. Koehn
Deputy Director
7600 Sand Point Way NE
Building 3
Seattle, Washington 98115

SUBJECT: NRC INSPECTION REPORT 030-22218/2011-001 AND NOTICE OF VIOLATION

Dear Mr. Koehn:

This refers to the inspection conducted on April 20, 2011, at your facility in Seattle, Washington, with continued NRC internal review through June 1, 2011. The 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 the license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. A preliminary exit briefing was conducted with Mr. Kevin Roe and you at the conclusion of the onsite portion of the inspection on April 20, 2011. A final telephonic exit briefing was conducted with Mr. Kevin Roe and you on June 8, 2011. The enclosed report presents the results of this inspection.

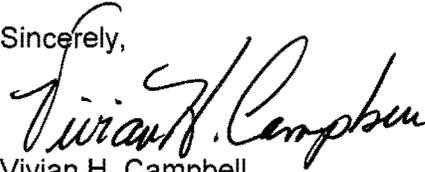
Based on the results of this inspection, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation involved the failure to report a leaking source in a timely manner. This violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the Notice. The violation is being cited in the Notice because it was identified by the inspector during the inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. For your consideration and convenience, an excerpt from NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," is enclosed. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements."

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal, privacy, or proprietary information so that it can be made available to the Public without redaction.

Should you have any questions concerning this inspection, please contact Jason Razo at (817) 276-6589 or the undersigned at (817) 860-8287.

Sincerely,



Vivian H. Campbell,
Chief, Nuclear Materials Safety Branch A

Docket: 030-22218
License: 46-23463-01

Enclosures:

- (1) Notice of Violation
- (2) Information Notice 96-28

cc with Enclosure 1
Washington Radiation Control Program Director

Internal distribution via e-mail:

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NOTICE OF VIOLATION

Department of Commerce
NOAA/PMEL
Seattle, Washington

Docket: 030-22218
License: 46-23463-01

During an NRC inspection conducted on April 20, 2011, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition 14.D of NRC Materials License 46-23463-01, Amendment 12, requires, in part, that if a leak test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be immediately removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known. The report shall specify the source involved, the test results, and the corrective action taken.

Contrary to the above, the licensee failed to file a report with the U.S. Nuclear Regulatory Commission, Region IV, within 5 days of the date the leak test result was known. Specifically, the licensee received the results of a leak test revealing the presence of more than 0.005 microcurie of removable contamination on June 15, 2010, and had not filed a report to the U.S. Nuclear Regulatory Commission by April 20, 2011, a period exceeding 5 days. The licensee subsequently filed a report on April 26, 2011. The source, serial number 02-001972-00, contained 15 millicurie of nickel-63 and showed 0.033 microcurie of removable contamination.

This is a Severity Level IV violation (Section 6.9)

Pursuant to the provisions of 10 CFR 2.201, the Department of Commerce, NOAA/PMEL, 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 IV, 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.

ENCLOSURE 1

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, United States 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 document system (ADAMS), accessible from the NRC Web site 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).

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

Dated this 17th day of June 2011

ENCLOSURE 1