

June 28, 2011

EA-11-069

Mr. Ed Lahey
General Manager
Sterigenics Corporation
711 East Cooper Court
Schaumburg, IL 60173

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-36739/2010-001(DNMS) AND
NOTICE OF VIOLATION – STERIGENICS CORPORATION, SCHAUMBURG,
ILLINOIS

Dear Mr. Lahey:

This refers to the inspection conducted on December 7, 2010, at the Sterigenics facility in Schaumburg, Illinois, by two inspectors from the State of Illinois on behalf of the U.S. Nuclear Regulatory Commission (NRC). On February 9 and March 7, 2011, an NRC inspector conducted a follow-up inspection at your Schaumburg facility and at your corporate headquarters in Oak Brook, Illinois. The purpose of this letter is to provide a publicly available version of the letter which was provided to you on April 21, 2011, and was not available for public review due to the security-related nature of the information. The non-public attachments referenced in this letter were provided to you in that April 21, 2011 letter. In addition, the actions requested by this letter were also included in the original letter dated April 21, 2011, and do not reflect any additional requests for information.

The inspection examined activities conducted at your facility as they relate to common defense and security, and to compliance with NRC Orders. Within these areas, the inspectors reviewed selected procedures and records and interviewed personnel. The subject non-public inspection report presents the inspection findings, which were discussed with you in the telephonic exit meeting on March 28, 2011.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action 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 apparent violation concerns security requirements. The circumstances surrounding the apparent violation, the significance of the issues, and the need for lasting and effective corrective action were discussed with you on February 9, 2011, and at the inspection exit meeting on March 28, 2011. As a result, it may not be necessary to conduct a pre-decisional enforcement conference (PEC) in order to enable the NRC to make an enforcement decision.

Before the NRC makes its enforcement decision, we are providing you an opportunity to:
(1) respond to the apparent violation addressed in this inspection report within 30 days; or
(2) request a PEC. If a PEC is held, the NRC will issue a press release to announce the

time and date of the conference; however, it will be closed to public observation because security-related information will be discussed.

If you choose to provide a written response, it should be clearly marked as a "Response to an Apparent Violation in Inspection Report No. 030-36739/2010-001; EA-11-069" and should include for the apparent violation: (1) the reason for the apparent violation, or, if contested, the basis for disputing the apparent 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 previously docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a PEC.

If you choose to request a PEC, the conference will afford you the opportunity to provide your perspective on the apparent violation and any other information that you believe the NRC should take into consideration before making an enforcement decision. The topics discussed during the conference may include the following: (1) information to determine whether a violation occurred; (2) information to determine the significance of a violation; (3) information related to the identification of a violation; and (4) information related to any corrective actions taken or planned to be taken. In presenting your corrective actions, you should be aware that the promptness and comprehensiveness of your actions will be considered in assessing any civil penalty for the apparent violation.

Please be advised that the number and characterization of apparent violations may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

In addition to the apparent violation described above, the NRC has determined that a Severity Level IV violation of NRC security requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The violation was cited in the April 21, 2011, letter transmitting the non-public Notice of Violation (Notice) and the circumstances surrounding it were described in detail in the referenced non-public inspection. The violation is being cited in the Notice because it was identified by the State of Illinois inspectors.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance was achieved is already adequately addressed on the docket in the referenced inspection report. Therefore, you are not required to respond to the Notice unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the Notice.

In accordance with Title 10 of the Code of Federal Regulations (CFR) Section 2.390 of the NRC's "Rules of Practice," a copy of this letter will be 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 Web site at <http://www.nrc.gov/reading-rm/adams.html>.

E. Lahey

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If you have any questions concerning this matter, please contact Tamara E. Bloomer of my staff at 630-829-9627.

Sincerely,

/RA/

Anne T. Boland, Director
Division of Nuclear Materials Safety

Docket No. 030-36739
Illinois License No. IL-01220-01

cc: State of Illinois

E. Lahey

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Sincerely,

/RA/

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