



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

January 27, 2012

Docket No. 03036457
EA-11-270

License No. 20-23904-01E

Jay Hill
Executive Vice President,
Global Strategy and Technology
Morpho Detection, Inc.
205 Lowell Street
Wilmington, MA 01887

SUBJECT: NRC INSPECTION REPORT NO. 03036457/2011001, MORPHO DETECTION,
INC., WILMINGTON, MASSACHUSETTS SITE

Dear Mr. Hill:

On August 4, 2011 and continuing in-office through January 9, 2012, Craig Gordon of this office conducted a safety inspection at your Wilmington, Massachusetts facility. 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 September 12, 2011, and November 9, 2011, was also examined as part of the inspection. The findings of the inspection were discussed with Mr. Aric Tilburg, Radiation Safety Officer, at the conclusion of the inspection, during a telephonic exit meeting held on January 9, 2012. The enclosed report presents the results of this inspection.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement 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 involves Morpho Detection, Inc. failing to file for reciprocity multiple times while conducting work in NRC jurisdiction between October 8, 2007 and March 28, 2011. Since the NRC has not made a final determination in this matter, a Notice of Violation is not being issued for these inspection findings at this time. In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

An open predecisional enforcement conference to discuss this apparent violation has been scheduled for March 7, 2012, at 10:00 a.m. This conference will be open to public observation in accordance with Section 2.4 of the NRC Enforcement Policy. The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to assist the NRC in making an enforcement decision. This may include information to determine whether a violation occurred, information to determine the significance of a violation, information related to identification of a violation, and information related to any

corrective actions taken or planned to be taken. The conference will provide an opportunity for you to provide your perspective on these matters and any other information that you believe the NRC should take into consideration in making an enforcement decision.

You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding this apparent violation is required at this time.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, 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 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 and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. 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 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

Sincerely,

/RA/

Raymond K. Lorson, Director
Division of Nuclear Materials Safety

Enclosure:
Inspection Report No. 03036457/2011001

cc w/Enclosure:
Aric T. Tilburg, Radiation Safety Officer
Commonwealth of Massachusetts

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/RA/

Raymond K. Lorson, Director
Division of Nuclear Materials Safety

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cc w/Enclosure:
Aric T. Tilburg, Radiation Safety Officer
Commonwealth of Massachusetts

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