

INSPECTION RECORD

Region III Inspection Report No. 12-001

License No. 030-34005

Docket No. 21-26687-01

Licensee (Name and Address):

Northern Biomedical Research
930 W. Sherman Boulevard
Muskegon, Michigan 49441-3534

Location Being Inspected: As above

Licensee Contact: Robert W. Boyd, DVM, RSO Telephone No. 231-759-2333

Priority: 5 Program Code: 03620

Date of Last Inspection: 4/27/07 Date of This Inspection: 3/2/12

Type of Inspection: ☐ Initial ☐ Announced ☒ Unannounced
 ☒ Routine ☐ Special

Next Inspection Date: March 2017 (X) Normal () Reduced

Justification for reducing the routine inspection interval: N/A

Summary of Findings and Actions:

- () No violations cited, clear U.S. Nuclear Regulatory Commission (NRC) Form 591 or regional letter issued
- () Non-cited violations (NCVs)
- () Violation(s), Form 591 issued
- (X) Violation(s), regional letter issued
- () Followup on previous violations

Inspector(s) Geoffrey M. Warren
(Name(s))

Date 3/29/12

/RA/
(Signature(s))

Approved Tamara E. Bloomer
(Name)

Date 3/29/12

/RA/
(Signature)

PART I - LICENSE, INSPECTION, INCIDENT/EVENT, AND ENFORCEMENT HISTORY

1. AMENDMENTS AND PROGRAM CHANGES:

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
--------------------	-------------	----------------

None

Licensee has not performed principal activities since November 2006

2. INSPECTION AND ENFORCEMENT HISTORY:

No violations were cited as a result of the last two routine inspections performed in March 2002 or April 2007.

3. INCIDENT/EVENT HISTORY:

None

PART II - INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

The licensee was authorized to perform research and development activities, including animal research studies, using a variety of isotopes. No licensed activities had been conducted since November 2006, when the licensee performed a study including the use of tritium in pigs. The Radiation Safety Officer (RSO) stated that personnel would be trained, survey meters would be calibrated, and other steps would be taken to reactivate the radiation safety and oversight program prior to beginning any study using licensed materials. The facility was consistent with the maps provided to NRC in the initial application. The RSO, who was the president of the company, stated that they would like to retain the NRC license in case they want to perform a study using licensed materials. The NRC is currently reviewing this request and is awaiting guidance from NRC headquarters concerning the issue.

The RSO stated that the company will be moving some operations to a new facility, currently under construction. He was aware that he would need to get a license amendment authorizing that facility prior to performing licensed activities there.

2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: 87126

Focus Areas Evaluated: 03.01 – 03.07

The inspector toured the facility and reviewed records concerning the NRC license. The RSO described actions that would be taken prior to beginning a research study using licensed materials, including training and facility preparation.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

The inspector performed area surveys in the licensee's facility, and found no evidence of residual radioactive materials, using a Ludlum Model 2403 survey meter, calibrated March 7, 2011.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

Title 10 CFR 30.36(d)(3) requires that, within 60 days of the occurrence that no principal activities have been conducted for a period of 24 months, each licensee provide notification to the NRC in writing of such occurrence. The licensee had not performed principal activities since November 2006; the 24 month period ended in November 2008. The licensee was required to notify NRC within 60 days, or by approximately January 2009.

The licensee stated in a letter dated August 22, 2011, that they had not used radioactive materials since November 2006 and had no licensed materials on site. This letter transmitted a renewal application for the license; the license was scheduled to expire on August 31, 2011. Because the notification was in writing, no further corrective action is required to correct this violation. The RSO is now aware of the reporting requirement and is in discussions with licensing on how to continue the license.

5. PERSONNEL CONTACTED:

*Robert Boyd, DVM, RSO and C.E.O.
and other licensee staff

Use the following identification symbols:
Individual(s) present at entrance meeting
* Individual(s) present at exit meeting