



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

April 26, 2012

Docket No. 03036438

License No. 37-30850-01

Doyle Terry Stout
Owner and Radiation Safety Officer
Gamma Irradiator Service
337 Distillery Hill Road
Benton, PA 17814

SUBJECT: NRC INSPECTION REPORT NO. 03036438/2011001, GAMMA IRRADIATOR SERVICE, BENTON, PENNSYLVANIA

Dear Mr. Stout:

On November 14, 15, and 18, 2011, and February 24, 2012, Kathy Modes of this office conducted a safety inspection at Gamma Irradiator Service (GIS) in Benton, Pennsylvania. 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 review of records. Additional information provided in your correspondence dated February 7, and April 21, 2012, was also reviewed as part of the inspection. The results of the inspection were discussed with you via telephone on April 24, 2012, and are described in the enclosed report.

Based on the results of this inspection, two apparent violations of NRC requirements were identified. The first apparent violation involves GIS not conducting its program in accordance with the statements contained in the documents listed in their NRC license, as required by Condition 15 of NRC License No. 37-30850-01. Specifically, GIS did not have comprehensive written emergency procedures to cover likely situations that could be encountered during licensed activities. The second apparent violation involves GIS not limiting licensed activities to self-shielded (Category I) irradiators as required by Item 9 of their NRC license. Specifically, GIS performed preventive maintenance on a Category II Irradiator in 2003, 2005, 2007 and 2009, an activity not authorized by their NRC license.

Because the NRC has not made a final determination in this matter with respect to the apparent violations, a Notice of Violation is not being issued at this time. You will be advised by separate correspondence of the results of our deliberations.

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.

Doyle Terry Stout
Gamma Irradiator Service

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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).

Please note that the Region I Division of Nuclear Materials Safety will be moving effective May 9, 2012. Our new address will be:

USNRC – Region I
2100 Renaissance Blvd, Suite 100
King of Prussia, PA 19406-2713

Please contact Kathy Modes at 610-337-5251, if you have any questions regarding this matter.

Sincerely,

Original signed by Marc S. Ferdas

Marc S. Ferdas, Chief
Decommissioning Branch
Division of Nuclear Materials Safety

Enclosure:
Inspection Report No. 03036438/2011001

cc w/enclosure:
Commonwealth of Pennsylvania
State of New Jersey

Doyle Terry Stout
Gamma Irradiator Service

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