



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

February 11, 2013

Docket No. 03034800

License No. 06-30469-01

Thomas Soriano
President/Radiation Safety Officer
DOCRO, Inc.
1 Jacks Hill Road
Oxford, CT 06478

SUBJECT: NRC INSPECTION REPORT NO. 03034800/2013001, DOCRO, INC., OXFORD,
CONNECTICUT SITE AND NOTICE OF VIOLATION

Dear Mr. Soriano:

On February 7, 2013, Steven Courtemanche of this office conducted a safety inspection by telephone of activities authorized by the above listed NRC license. The inspection was limited to a review of the status of your licensed program pertaining specifically to the following: use of radioactive materials; the Radiation Safety Officer duties; description of the location of use; and the non-payment of Annual Fees Notice LFB-13-0103 by the licensee. The findings of the inspection were discussed with Robert McNamee, Director of Quality and Compliance, of your organization at the conclusion of the inspection.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. The violations involved: (1) the failure to certify the disposition of all licensed material and submit a report of the results of a radiation survey of the premises where the licensed activities were carried out or demonstrated in some other manner that the premises were suitable for release in accordance with the criteria for decommissioning in 10 CFR Part 20, Subpart E as required by 10 CFR 30.36(j); and (2) the failure to amend Item 2 of your license when you changed your mailing address from "73 Cogswheel Lane, Seymour, Connecticut 06483" to "1 Jacks Hill Road, Oxford, Connecticut 06478."

The violations are cited in the enclosed Notice of Violation (Notice), because the violations were identified by the NRC.

During our inspection exit meeting on February 7, 2013, you indicated that radioactive material had not been used at the Seymour, CT facility since March 2004, and had never been and would never be used at the Oxford, CT facility, that the information required to release the Seymour, CT facility would be provided to the Commission for review, and subsequently you would request that the license be terminated. Further, it is our understanding that you will be contacting the Fees Branch of the NRC concerning the Annual Fees Notice LFB-13-0103 and determining the appropriate way for you to meet this financial commitment.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), 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).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

T. Soriano

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Please contact Steven R. Courtemanche at 610-337-5075 if you have any questions regarding this matter.

Sincerely,

Original Signed by Judith A. Joustra

Judith A. Joustra, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Robert McNamee, Director of Quality and Compliance
State of Connecticut

T. Soriano

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Please contact Steven R. Courtemanche at 610-337-5075 if you have any questions regarding this matter.

Sincerely,

Original Signed by Judith A. Joustra

Judith A. Joustra, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Robert McNamee, Director of Quality and Compliance
State of Connecticut

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DATE	02/11/2013		2/11/13				

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NOTICE OF VIOLATION

DOCRO, Inc.
Oxford, CT

Docket No. 03034800
License No. 06-30469-01

During an NRC inspection conducted on February 7, 2013, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 30.36(j) requires, in part, that as a final step in decommissioning, the licensee shall certify the disposition of all licensed material, including accumulated wastes, by submitting a completed NRC Form 314 or equivalent, and conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates in some other manner that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR Part 20, Subpart E.

Contrary to the above, as of February 7, 2013, the licensee did not certify the disposition of all licensed material, including accumulated wastes, by submitting a completed NRC Form 314 or equivalent, did not submit a report of the results of a radiation survey of the premises where the licensed activities were carried out or demonstrated in some other manner that the premises were suitable for release in accordance with the criteria for decommissioning in 10 CFR Part 20, Subpart E. Specifically, the licensee did not provide the above information to the Commission for review and the Commission's written acceptance prior to releasing the facility at 93 Cogswheel Lane, Seymour Connecticut to the building's owners for unrestricted use.

This is a Severity Level IV violation (Section 6.3).

- B. Item 2 of NRC License No. 06-30469-01 specifies that the authorized licensee is located at 73 Cogswheel Lane, Seymour, CT 06483.

Contrary to the above, on September 1, 2012, the licensee moved its business office to a new location, i.e., I Jacks Hill Road, Oxford, CT 06478, a location not stated on the license.

This is a Severity Level IV violation (Section 6.3)

Pursuant to the provisions of 10 CFR 2.201, DOCRO, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, 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, (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 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.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated This 11 day of February 2013