



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

February 4, 2015

Docket No. 03008478

License No. 19-00296-17

Nancy E. Newman
Radiation Safety Officer, NIH
Department of Health & Human Services
National Institutes of Health
21 Wilson Drive MSC 6780
Bethesda, MD 20892-6780

SUBJECT: NRC INSPECTION REPORT NO. 03008478/2014002, DEPARTMENT OF HEALTH & HUMAN SERVICES, NATIONAL INSTITUTES OF HEALTH, BETHESDA, MARYLAND AND NOTICE OF VIOLATION

Dear Ms. Newman:

On July 21-23, 2014, Kathy Modes of this office conducted an inspection at the above address of activities authorized by the above listed NRC license. The inspection continued in-office until January 14, 2015. 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 August 12, 2014, and the telephone conversation on January 14, 2015, between Cathy Ribaldo of your organization and this office were also examined as part of the inspection. The findings of the inspection were discussed with Cathy Ribaldo of your organization at the conclusion of the inspection on January 14, 2015.

Based on the results of this inspection, the NRC determined that one or more violations of NRC requirements occurred. Because of the security-related nature of any such violations, the number and characterization will not be provided in this letter, but instead are provided in nonpublic enclosures. The violation(s) were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation(s) is/are cited in the Notice of Violation (Notice), provided as Enclosure 1 to this letter. The violation(s) is/are cited because the violation(s) was/were identified by NRC. Enclosure 2 provides a description of the corrective actions taken by NIH to address any violations.

**Enclosures contain Sensitive Unclassified
Non-Safeguards Information. Upon
separation, this cover letter is decontrolled.**

The NRC has concluded that information regarding the reason for the violation(s), the corrective actions taken and planned to correct the violation(s) and prevent recurrence is already adequately addressed in our records. Therefore, you are not required to respond to this letter unless the description of your corrective actions in Enclosure 2 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 enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room located at NRC Headquarters in Rockville, MD, and from the NRC's document system, the Agency-wide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosures will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If Security-Related Information is necessary to provide an acceptable response, if you choose to submit one, please mark the top of each page of your response, "Security-Related Information – Withhold Under 10 CFR 2.390." To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information. In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

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/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.

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).

Nancy E. Newman

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

Sincerely,

/RA/

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

Enclosures:

1. Notice of Violation (Non-Public)
2. Description of Corrective Actions (Non-Public)

cc w/o Enclosures:

State of Maryland

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Nancy E. Newman

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cc w/o Enclosures:

State of Maryland

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SUNSI Review Complete: KModes

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