

INSPECTION RECORD

Region: III

Inspection Report No. 2015-001

License No. 13-01865-02

Docket No. 030-00693

Licensee: Butler University
4600 Sunset Avenue
Indianapolis, IN 46208

Locations Inspected: Pharmacy and Health Sciences Building
Holcomb Building

Licensee Contact: Craig Barnhart, RSO Telephone No. 317-940-6408

Program Code: 03620 Priority: 5

Type of Inspection: () Initial (X) Routine () Announced
() Special (X) Unannounced

Last Inspection Date: December 2, 2009 Date of This Inspection: March 20, 2015, with continued in-office review through 4/16/2015 to review information unavailable during the on-site inspection

Next Inspection Date: (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
- () Follow-up on previous violations

Inspector(s) Deborah A. Piskura, Health Physicist

/RA/
Signature

Date 05/07/2015

Approved Aaron T. McCraw, Chief, MIB

/RA/
Signature

Date: 05/07/2015

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

1. AMENDMENTS AND PROGRAM CHANGES SINCE LAST INSPECTION:

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
24	10/11/2012	license renewal
23	02/12/2010	new research laboratory

2. INSPECTION AND ENFORCEMENT HISTORY:

The last routine inspections were conducted on 12/02/2009 and 9/1/2004; no violations of NRC requirements were identified during either inspection.

3. INCIDENT/EVENT HISTORY:

The licensee has not reported any events since the last routine inspection.

PART II – INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

This was a routine inspection of the licensee. Butler University is a non-denominational private learning institution specializing in liberal arts, education, and pharmacy. The licensee was authorized to use P-32, P-33, H-3, C-14, S-35, and Ca-45 for laboratory research and student instruction.

During this inspection, the inspector toured two research labs and the radioactive waste storage room, interviewed licensee personnel, performed radiation surveys, and reviewed select records. The licensee's program was "inactive" at the time of this inspection. Since the previous inspection, the licensee's use of material has been inactive. Currently one faculty member serves as an authorized user; however her use has been inactive. The licensee last ordered RAM in December 2010 and used material throughout 2011. The inspector reviewed a selection of licensee records for inventories, surveys, use logs, and waste manifests.

The inspector informed the licensee (who was unaware of the requirement) of the Decommissioning Timeliness Notification requirements since more than 24 months had passed from the last use of licensed material. The inspector also discussed the licensee's intent to use byproduct material. According to licensee representatives, the university is in the process of recruiting a faculty member who may conduct instruction/research projects that require the use of RAM. The licensee stated that it wished to maintain its NRC license. The inspector informed the University that it could file an amendment request "for storage only" and maintain its license for future research uses.

2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: 87126
Focus Areas Evaluated: All

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

Survey Instrument Used: Canberra UltraRadiac, NRC Tag No. 33535G
Calibration Date: April 4, 2014

The inspector performed direct radiation measurements in and around the licensee's laboratories and waste storage areas. All radiation levels were indistinguishable from background. All survey measurements were comparable to the licensee's survey results.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

10 CFR 30.36(d) requires, in part, that licensees provide notification to the NRC in writing within 60 days of any of the following occurrences:

- (1) The license has expired;
- (2) The licensee has decided to permanently cease principal activities at the entire site or in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements;
- (3) No principal activities under the license have been conducted for a period of 24 months; or
- (4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.

Contrary to the above, as of March 20, 2015, the licensee failed to notify the NRC in writing within 60 days of no principal activities under the license have been conducted for a period of 24 months. Specifically, the licensee has not conducted principal activities under NRC License No. 13-01865-02 since 2011, a period greater than 24 months.

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

As corrective action for the violation, the licensee submitted an amendment request (letter dated April 16, 2015, received on April 23, 2015) to MLB to authorize its license "for storage only."

5. PERSONNEL CONTACTED:

Jerry Carlson, CEFP, Director of Maintenance Services
+ Craig Barnhart, Radiation Safety Officer

Attended exit meeting on March 20, 2015.
+ Individual contacted by telephone

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