



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

February 11, 2016

Docket No. 03038187

License No. 20-23981-01E

Steven Schlitt
Dir. of Eng. & Quality Assurance/RSO
Cosmedico Light, Inc.
233 Libbey Parkway, Unit 2
Weymouth, MA 02189-3101

SUBJECT: NRC INSPECTION REPORT NO. 03038187/2015001, COSMEDICO LIGHT, INC., WEYMOUTH, MASSACHUSETTS SITE AND NOTICE OF VIOLATION

Dear Mr. Schlitt:

On December 22, 2015, Steven Courtemanche of this office conducted a safety inspection at the above address with continuing in-office review through February 8, 2016. 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. The findings of the inspection were discussed with Kevin Apgar, President by telephone 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 one Severity Level IV violation of NRC requirements occurred. The current Enforcement Policy can be located on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

The apparent violation involved the failure to submit periodic reports as specified in 10 CFR 32.16. The apparent violation is cited in the enclosed Notice of Violation (Notice), because the apparent violation was identified by the NRC and you were provided prior written notice by the NRC in a letter dated August 4, 2014.

During our inspection exit meeting on February 8, 2016, Mr. Apgar indicated that the licensee was now conversant with the reporting requirement. He stated that the licensee has taken corrective and preventative actions to address the apparent violation and that Cosmedico Light, Inc. is committed to radiation safety and to compliance with NRC regulations and licensed conditions. Further, you stated verbally that you have taken the following corrective and preventative actions:

An electronic calendar reminder system is in place to remind the RSO when a report is due.

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, 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 the 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.

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

Sincerely,

/RA/

Christopher G. Cahill, Acting Chief
Commercial, Industrial, R&D and Academic
Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc: Commonwealth of Massachusetts

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Sincerely,
/RA/
Christopher G. Cahill, Acting Chief
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Enclosure:
Notice of Violation

cc: Commonwealth of Massachusetts

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SUNSI Review Complete: SCourtemanche

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OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI			
NAME	SCourtemanche/src		CCahill/cc					
DATE	2/11/16		2/11/16					

NOTICE OF VIOLATION

Cosmedico Light, Inc.
Weymouth, MA

Docket No. 03038187
License No. 20-23981-01E

During an NRC inspection conducted on December 22, 2015, with continuing in-office review until February 8, 2016, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 32.16(c)(1) requires, in part, that each licensee file the report of all transfers from the previous year by January 31 of each year.

Contrary to the above, as of December 22, 2015, the licensee did not file reports of all transfers from the previous years by January 31 of each year. Specifically, the licensee filed the report for Calendar Year 2011 on August 14, 2014; and filed the report for Calendar Year 2014 on April 29, 2015.

This is a Severity Level IV violation (Enforcement Policy Section 6.9).

Pursuant to the provisions of 10 CFR 2.201, Cosmedico Light, 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.

Notice of Violation
Cosmedico Light, Inc.

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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 2016