

INSPECTION RECORD

Region: III

Inspection Report No. 2017001

License No. 48-09944-01

Docket No. 030-01160

Licensee: University of Wisconsin-Milwaukee
Radiation Safety Program
Post Office Box 413
Milwaukee, WI 53201

Location Inspected: Lapham Hall

Licensee Contact: Kim Axtman, RSO

Telephone No. 414-430-7507

Program Code: 01110 Priority: 5

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

Last Inspection Date: 6/30/11

Date of This Inspection: 5/30/17, with in-office review through 6/12/17

Next Inspection Date: N/A

() Normal () Reduced

Justification for reducing the routine inspection interval: N/A

The next inspection date is not applicable because the license is being terminated.

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: Robert G. Gattone, Jr., Senior Health Physicist

/RA/
Signature

Date 6/19/2017

Approved: Aaron T. McCraw, Chief, MIB

/RA/
Signature

Date 6/19/2017

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>
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None

2. INSPECTION AND ENFORCEMENT HISTORY:

The last inspection of this licensee was on June 30, 2011. No violations of NRC requirements were identified.

3. INCIDENT/EVENT HISTORY:

There were no open items or events since the last routine inspection.

PART II – INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

The top licensee managers related to the licensee's radiation protection program were Mark Mahone, Chancellor; Robin Van Harpen, Vice Chancellor; Melissa Spadanuda, Associate Director of University Safety and Assurance; and Kim Axtman, RSO.

The licensee's current license amendment was signed on June 26, 2007. The license authorized the licensee to possess low millicurie quantities of unsealed licensed material (i.e., carbon-14, hydrogen-3, phosphorous-32, sulfur-35, magnesium-54, and phosphorous-33), and low microcuries of unsealed iron-59 and cesium-137. The licensed material was authorized for research and development at Lake Station, Yellowstone National Park, Wyoming, and used aboard research vessels at temporary job sites of the licensee anywhere in the United States where the NRC maintains jurisdiction for regulating the used of licensed material. The licensee had not conducted principal activities since July 2003.

2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: 87126

Focus Areas Evaluated: 02.07

Because (1) the facility that was inspected was in the State of Wisconsin's jurisdiction; (2) the licensee submitted a request to terminate the NRC license; and (3) the licensee had not conducted principal activities since July 2003, the inspection was limited to Focus Area 02.07 of Inspection Procedure 87126.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

Independent and confirmatory measurements were not conducted because the facility that was inspected was in the State of Wisconsin's jurisdiction.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

Based on the results of this inspection, the NRC determined that two Severity Level IV violations of NRC requirements occurred. The violations concerned the licensee's failure to: (1) have the individual listed in Condition 12 of NRC License No. 48-09944-01 perform the duties and functions of RSO for your licensed activities; and (2) notify the NRC in writing within 60 days of when principal activities had not been conducted for a period of 24 consecutive months, as required by Title 10 of the *Code of Federal Regulations* (CFR) Section 30.36(d)(3).

The inspector determined that the cause of the violations was licensee oversight. On May 24, 2017, the licensee submitted a request to terminate the NRC license. As such, the NRC does not require the licensee to respond to the violations or take corrective actions to restore compliance and to prevent recurrence.

5. PERSONNEL CONTACTED:

^# Kim Axtman, RSO
Melissa Spandanuda, Associate Director of University Safety and Assurance

Attended preliminary exit meeting on 5/30/17
^ Participated in a telephonic final exit meeting on 6/12/17