

April 30, 2018
EN-18-008

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Idaho State University EA-17-206
Pocatello, ID
Docket No. 030-32322
License No. 11-27380-01

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY -
\$8,500

A Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$8,500 will be issued on or about May 3, 2018, to Idaho State University (licensee). This action is based on two Severity Level III violations. The violation associated with the civil penalty is for the licensee's failure to maintain constant surveillance of licensed material that is not in storage and to secure the material from unauthorized removal or access while it is in storage, as required by 10 *Code of Federal Regulations* (CFR) 20.1801 and 10 CFR 20.1802. The second violation is for failure to comply with 10 CFR 70.9 when the licensee did not provide complete and accurate information for the Material Balance Reporting required in 10 CFR 74.13.

Specifically, on November 13, 2017, the licensee reported to the NRC that it was missing a nuclear accident dosimeter plutonium source. Further, from November 2004 through March 2017, the source was not identified in the licensee's internal inventory and was incorrectly reported on the Material Balance Reports as being in the licensee's possession. These violations and corrective actions were addressed by the licensee with the NRC staff during a predecisional enforcement conference on March 21, 2018. Subsequently, a base civil penalty in the amount of \$8,500 was identified as consistent with the NRC Enforcement Policy (Policy) for the Severity Level III violation involving the loss of NRC-regulated material.

The violation of 10 CFR 70.9 was addressed in accordance with the civil penalty assessment process in Section 2.3.4 of the Policy. Because this notice is the first escalated enforcement action at this facility within the last two inspections and the licensee's corrective actions were both prompt and comprehensive, credit for corrective actions is warranted in place of the civil penalty consistent with the Policy.

Pursuant to the Policy, the licensee is being offered the opportunity to engage in the NRC Alternative Dispute Resolution process. Additionally, the licensee has not yet been specifically informed of the enforcement action. The schedule of issuance and notifications is on or about the following dates:

Mailing of Notice of Violation	May 4, 2018
Telephone Notification of Licensee	May 4, 2018

The State of Idaho will be notified.

CONTACTS: Susanne Woods, OE (301) 287-9446	Juan Peralta, OE (301) 287-9510
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NAME	S.Woods	J.Peralta
DATE	4/30/2018	4/30/18

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