



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

October 16, 2018

Mary Susan Fishbaugh, Interim Provost
and Academic Vice Chancellor
Montana State University-Billings
Department of Biological & Physical
Sciences
1500 University Drive
Billings, Montana 59101

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 030-00875/2018-001 AND
NOTICE OF VIOLATION

Dear Ms. Fishbaugh:

On August 28, 2018, the U.S. Nuclear Regulatory Commission (NRC) cited Montana State University-Billings, Department of Biological & Physical Sciences (MSU Billings) for failing to notify the NRC of a change in radiation safety officer listed on the license. The NRC Inspection Report 030-00875/2018-001, with the enclosed Notice of Violation (Notice), required you to respond in writing within 30 days (NRC Agencywide Documents Access and Management System (ADAMS) Accession ML18243A461). You responded by letter dated September 26, 2018 (ADAMS Accession ML18289A747).

After reviewing the information you provided in your response to the Notice, in which you voluntarily requested termination of NRC license number 25-12923-01 and the fact that there is no licensed material present in your facility, we have concluded that the proposed corrective action appears to adequately address the regulatory noncompliance. Your request to terminate NRC license number 25-12923-01 has been received and a separate correspondence will be sent when the license is terminated.

In accordance with Title 10 of the *Code of Federal Regulations* (CFR) 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/ RT for

James L. Thompson, Chief
Materials Licensing and Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-00875
License No. 25-12923-01

cc: see next page

cc:

Brian Watson, Administrator
Quality Assurance Division
Department of Public Health &
Human Services
2401 Colonial Drive
P.O. Box 202953
Helena, MT 59620-2953

RESPONSE TO NRC INSPECTION REPORT 030-00875/2018-001 AND NOTICE OF VIOLATION Dated Date XX

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ADAMS ACCESSION NUMBER: **ML18291A796**

SUNSI Review: ADAMS: Yes Publicly Available Non-Publicly Available

By: JCD No Non-Sensitive Sensitive Keyword:

OFFICE	HP:MLIB	C:MLIB				
NAME	JCDykert	JLThompson				
SIGNATURE	<i>/RA/</i>	/RA/ RT for				
DATE	10/16/18	10/16/18				

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