



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

TLC
-PDR
CF

JUL 17 1979

R. E. Lowey, Jr.
185 Reister Drive
Hamilton, OH 45013

License No. 34-16992-01
Expiration Date: 8/31/77

Dear Mr. Lowey:

SUBJECT: Notice of Violation

This refers to the telephone discussion between Messrs. J. A. Pagliaro and S. R. Lasuk of this office and you on July 9, 1979. The subject of the discussion was the fact that NRC records show that the Byproduct Material License identified above has expired and no renewal application has been filed in accordance with Section 30.37 of Title 10, Code of Federal Regulations Part 30.

From our discussion with you we learned that you still possess material which requires a specific NRC license. Your possession of that material without a valid, specific license is a violation of Section 30.3, 10 CFR Part 30. Section 30.3 states:

§30.3 Activities requiring license. Except for persons exempt as provided in this part and Part 150 of this chapter, no person shall manufacture, produce, transfer, receive, acquire, own, possess, use, import or export byproduct material except as authorized in a specific or general license issued pursuant to the regulations in this chapter.

This Notice of Violation is sent to you under the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit a written reply to this notice explaining the steps you have taken to correct this situation. The corrective actions you take must include the following:

Divest yourself of the material immediately, in a lawful manner, or apply for a license to possess the material. If you divest yourself of the material, prepare a statement which explains the method of disposal, including: what material was involved, how it was disposed of or to whom it was shipped, and when this was done.

You must maintain the radioactive material in secure storage until the transfer takes place or you acquire a valid license.

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R. E. Lowey, Jr.

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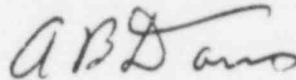
Your reply to this Notice of Violation shall be sent, within twenty (20) days of the receipt of this letter, to Region III, U. S. Nuclear Regulatory Commission, 799 Roosevelt Road, Glen Ellyn, Illinois 60137, Attention: A. B. Davis. This reply must include a copy of the statement described above.

We request that you give prompt attention to these matters and divest yourself of the material or apply for a license by August 15, 1979. Should you have any questions regarding these matters, we would be pleased to discuss them with you.

As per your request, we have enclosed a list of licensed radioactive waste disposal firms.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room.

Sincerely,



A. B. Davis, Chief
Fuel Facility and
Material Safety Branch

Enclosure: Waste Disposal
Licensees

cc: Central Files
Reproduction Unit NRC 20b
PDR
NSIC
Chief, Licensing Management
Branch, NMSS

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ENCLOSURE

WASTE DISPOSAL LICENSEES

Nuclear Engineering Company,
Incorpoarted
Louisville, KY
(502) 426-7160

Atomic Dispoal Company,
Incorporated
Tinley Park, IL
(312) 429-1660

Chem Nuclear Services,
Incorporated
Washington (State of)
(206) 827-0711

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