

NOV 02 1989

Docket No. 030-14873

License No. 18-11660-02

Mt. Desert Island Biological Laboratory
ATTN: Mr. Donald McCrimmon
Chairman Radiation Safety Committee
Old Bar Harbor Road
Salsbury Cove, Maine 04672

Gentlemen:

Subject: Routine Inspection No. 030-14873/89-001

On July 31 and August 1 and 2, 1989, R. H. Ladun of this office conducted a routine safety inspection at the above address of activities authorized by the above listed NRC license. 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 yourself at the conclusion of the inspection. This also refers to the telephone conversation on August 14, 1989 between yourself and Mr. Ladun.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed as Appendix A and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy). You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

Item A in the attached Notice of Violation involving the storage and control of licensed material is classified as a Severity Level IV violation. As indicated in Supplement IV of the NRC Enforcement Policy, significant violations of this type are normally classified as Severity Level III. However, after careful consideration of the factors involved in this specific instance, we have exercised our judgment under the NRC Enforcement Policy and have classified this violation as Severity Level IV. Similar violations of this type in the future may result in additional enforcement action.

During this inspection, children were observed playing in the vicinity of the research laboratories, and a child was observed entering a laboratory. While this laboratory did not contain radioactive materials, at that time, in response to this letter please describe your procedure for assuring that restricted areas, such as laboratories containing radioactive materials are adequately controlled to assure compliance with the requirements of 10 CFR 20.104, "Exposure of minors."

OFFICIAL RECORD COPY

ML DL MT DESERT - 0001.0.0
10/24/89

8911160140 891102
REGI LIC30
18-11660-02 PDC

RETURN ORIGINAL TO
REGION I

11
IE:07

Mt. Desert Island
Biological Laboratory

2

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.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511 only.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:
John D. Kinneman

for John R. White, Chief
Nuclear Materials Safety Section C
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix A, Notice of Violation

cc:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
State of Maine

bcc:
Region I Docket Room (w/concurrences)
Management Assistant, DRMA

RI:DRSS
Ladun/bj

10/3⁰/89
RH

for
RI:DRSS
White

10/1/89

OFFICIAL RECORD COPY

ML DL MT DESERT - 0002.0.0
10/24/89