



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

PDR

JUL 18 1980

03000913

31-06535-04

Iowa Wesleyan College
ATTN: Dr. Jerry Richards
Academic Dean
Mount Pleasant, IA 52641

License No. SNM-988
Expiration Date: 10/31/79

Gentlemen:

Subject: Notice of Violation

This refers to the telephone discussion between S. R. Lasuk of this office and you on July 16, 1980. The subject of the discussion was the fact that NRC records show the Special Nuclear Material License identified above has expired and no renewal application has been filed in accordance with Section 70.33 of Title 10, Code of Federal Regulations, Part 70.

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 70.3, 10 CFR Part 70. Section 70.3 states:

70.3 License requirements. No person subject to the regulations in this part shall receive title to, own, acquire, deliver, receive, possess, use, or transfer special nuclear material except as authorized in a license issued by the Commission pursuant to these regulations.

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 to this office, within twenty (20) days of your receipt of this notice, a written reply explaining the steps you have taken to correct this situation.

During the above discussion, you were not sure whether you would apply for a new license or transfer the material to an authorized recipient.

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If you decide to apply for a new license, you must do so immediately by submitting a written request for a Special Nuclear Material License to the Material Licensing Branch, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy of the written request should be sent to this office, Region III, U.S. Nuclear Regulatory Commission, 799 Roosevelt Road, Glen Ellyn, Illinois 60137, Attention A. B. Davis.

You may contact the Material Licensing Branch on 301/427-4232 for assistance in preparing your request for a new license.

Also, you must maintain the radioactive material on hand in secure storage until such time as you acquire a valid license. No other use of the material on hand or purchase of additional radioactive material is authorized. Include a statement in your reply to this Notice of Violation confirming that you have taken this action and describing the controls that will be exercised over the stored material until such time that you obtain a valid license.

Since your present license has expired, your request will be processed as an application for a new license. Accordingly, you must determine if your program is subject to a license fee as required by Section 170.31 of 10 CFR Part 170 and, if one is required, submit the appropriate fee along with your written request.

If you choose to transfer the material, you must take the following actions:

1. Divest yourself of the material immediately, in a lawful manner.
2. Complete one copy of the enclosed Form NRC-314, "Certificate of Disposition of Materials." When completing this form please describe what material was involved, how it was disposed of or to whom it was shipped, and when this was done. You may wish to retain the other copy of the Form NRC-314 for your files.
3. Return one completed copy of the Form NRC-314 to this office within twenty days of the receipt of this letter, so that we can close out our files on License No. SNM-988 which expired on October 31, 1979.

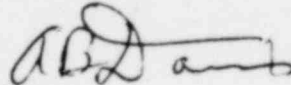
As per your request, we have also enclosed a list of licensed radioactive waste disposal firms.

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We request that you give prompt attention to these matters. Should you have any questions regarding them, we would be pleased to discuss them with you.

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
Materials Safety Branch

Enclosures:

1. 10 CFR Part 70
2. 10 CFR Part 170
3. Form NRC-314 (duplicate)
4. List of Waste Disposal
Licensees

cc w/o encl:

Central Files
Reproduction Unit NRC 20b
PDR
NSIC
Chief, Material Licensing
Branch, NMSS