

PDR



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

SEP 16 1980

Clark College  
ATTN: Sister Mary Louise Caffery, Ph.D  
1550 Clark Drive  
Dubuque, IA 52001

License No. SNM-779  
Expiration Date: 3/31/80

Gentlemen:

Subject: Notice of Violation

This refers to the telephone discussions between Rose M. Douglas of this office and you on September 8, 1980. The subject of these discussions 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 discussions with you we learned that you still possess material which requires a specific NRC license but do not wish to reactivate the program. 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 a written reply to this notice explaining the steps you have taken to correct this situation.

During the above discussions, you indicated you will transfer the material to an authorized recipient or apply for a "Storage only" license. If you decide to apply for a "Storage only" license you must immediately submit a written request for such a 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, IL 60137, Attention: A. B. Davis.

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SEP 16 1980

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

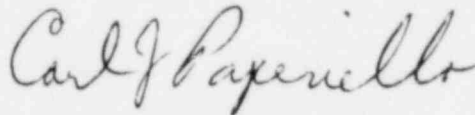
If you choose to transfer the material, you must take the following actions:

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-779 which expired on March 31, 1980.

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 Practices," 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 314 (duplicate)

cc w/o enclosures  
Central Files  
Reproduction Unit NRC 20b  
PDR  
NSIC  
Chief, Materials Licnesing  
Branch, NMSS