

OCT 02 1990

Docket No. 030-05582

License No. 31-13026-01

Department of the Interior,  
Geological Survey  
ATTN: Bronius Nemickas, Ph.D.  
Assistant Subdistrict Chief  
5 Aerial Way  
Syosset, New York 11791

Gentlemen:

Subject: Inspection No. 030-05582/90-001

On July 17, 1990, Mark C. Roberts of this office conducted a routine safety inspection at 5 Aerial Way and 235B Robbins Lane 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 James Nakao and yourself at the conclusion of the inspection.

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.

Based upon the results of our inspection, we are particularly concerned about the lack of management attention to your use of licensed material. Based on the number and severity of the violations described in the attached Notice of Violation we considered stronger enforcement action. However, because your licensed material is in storage, we have issued the enclosed Notice of Violation. You should carefully review your need for the licensed material. If you continue to require licensed material, you must take steps to ensure that NRC regulations and license conditions are followed. If you are not prepared to comply with these requirements, you should properly dispose of all licensed material and request that your NRC license be terminated. Please discuss your plans in this regard in your response to this letter. We will evaluate your response to this letter and Notice of Violation to determine if further enforcement action is required.

Also, since your license is now expired, no use of licensed material other than storage is authorized until you receive a valid NRC license. In your reply to this letter please confirm that all licensed material is in secure storage.

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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.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:  
John D. Kinneman

John D. Kinneman, Chief  
Nuclear Materials Safety Section B  
Division of Radiation Safety  
and Safeguards

Enclosure:  
Appendix A, Notice of Violation

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

bcc:  
Region I Docket Room (w/concurrences)  
Management Assistant, DRMA  
M. Roberts, RI

RI:DRSS  
M. Roberts/bj  
*MR*

09/27/90

~~RI:DRSS~~  
Kinneman

09/28/90

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