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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

FEB 22 1994

Docket No. 030-00810
License No. 21-00278-02
General License, 10 CFR 31.5
EA 93-234

Michigan Technological University
ATTN: Fred Dobney, Ph.D.
Executive Vice President
and Provost
1400 Townsend Drive
Houghton, MI 49931-1295

Dear Dr. Dobney:

SUBJECT: ORDER IMPOSING CIVIL MONETARY PENALTY - \$3,750

This refers to your letter dated December 17, 1993, in response to the Notice of Violation and Proposed Imposition of Civil Penalty (Notice) sent to you by our letter dated November 26, 1993. Our letter and Notice described thirteen violations identified during an NRC inspection conducted on August 26 through September 27, 1993.

To emphasize the need for effective oversight of NRC-licensed activities by Michigan Technological University's administration, the Radiation Safety Committee, and the Radiation Safety Officer, a civil penalty of \$3,750 was proposed.

In your December 17, 1993 response, you requested the penalty be mitigated in its entirety or by at least 50 percent of the base civil penalty. Further, you admitted Violations I.A through I.D, I.G, I.H, II, III.A, III.B, and IV, denied Violation I.E in part, and denied Violations I.F and V.

After consideration of your response, we have concluded, for the reasons given in the Appendix attached to the enclosed Order Imposing Civil Monetary Penalty, that an adequate basis has not been provided for retraction of the violations or mitigation of the civil penalty. Accordingly, we hereby serve the enclosed Order on Michigan Technological University imposing a civil monetary penalty in the amount of \$3,750. Payment should be made within 30 days of the date of this Order, by check, draft, money order, or electronic transfer, payable to the Treasurer of the United States and mailed to Mr. James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555. We will review the effectiveness of your corrective actions during a subsequent inspection.

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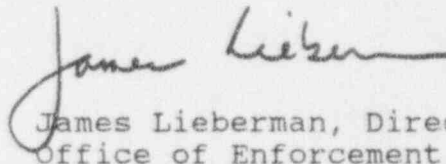
Michigan Technological
University

2

With regard to our concern relating to the lack of surveys for removable radioactive contamination in the accelerator target storage room, the staff has determined that your response was adequate. This matter will be reviewed during a future inspection.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

Sincerely,



James Lieberman, Director
Office of Enforcement

Enclosure: As stated

cc w/enclosure: .
Donald Daavettila, Ph.D.,
Radiation Safety Officer
Public Document Room
State of Michigan

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