

OCT 20, 1982

Docket No. 30-06235

License No. 37-10305-01

Commonwealth of Pennsylvania
Department of Agriculture
Bureau of Foods and Chemistry
ATTN: Anthony Grigor, Ph.D., Chief
Division of Laboratories
2301 North Cameron Street
Harrisburg, Pennsylvania 17120

Gentlemen:

Subject: Inspection No. 82-01

This refers to the routine safety inspection conducted by Mr. R. Ladun and Miss J. McGinness of this office on August 18, 1982, of activities authorized by NRC License No. 37-10305-01 and to the discussions of our findings held by Mr. Ladun with Ms. Z. Patel of your staff at the conclusion of the inspection, and to a subsequent telephone discussion between Miss McGinness and yourself on August 23, 1982.

The inspection was an examination of activities conducted under your license as they relate to radiation safety and to compliance with the Commission's rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, measurements made by the inspector, and observations by the inspector.

Based on the results of this inspection, it appears that one of your activities was not conducted in full compliance with NRC requirements, as set forth in the Notice of Violation, enclosed herewith as Appendix A. This violation has been categorized by severity level in accordance with the NRC Enforcement policy (10 CFR 2, Appendix C) published in the Federal Register Notice (47 FR 9987) dated March 9, 1982. You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

Item A described in the attached Notice of Violation, involving 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, including the fact that the impact on the health and safety of the public was minimal and remote since removal of the unsecured material was unlikely, we have exercised our judgement under the NRC Enforcement Policy and have classified this violation as a Severity Level IV. Similar violations of this type in the future may result in additional enforcement action.

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.

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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.

Your cooperation with us in this matter is appreciated.

Sincerely,

Original Signed By:

Thomas T. Martin, Director
Division of Engineering and Technical
Programs

Enclosure:
Appendix A, Notice of Violation

cc w/encl:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Pennsylvania

bcc w/encl:
Region I Docket Room (with concurrences)
Chief, Operational Support Section (w/o encl)
D. Holody, RI

for
[Signature]
RI:DETP
Ladun/lp
9/15/82

[Signature]
RI:DETP
Kinneman
10/7/82

[Signature]
RI:DETP
Joyner
10/7/82

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RI:DETP
Martin
10/17/82

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RI:E&I
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Holody
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