

MAR 28 1989

Docket No. 030-20772
Inquiry No. 89-01

License No. 29-21430-01
Expiration Date: October 31, 1988

Fabco Piping, Inc.
c/o Synergy Systems Corporation
ATTN: Mr. Ronald Spangler
President
No. 1 World Trade Center
Suite 3000
New York, New York 10048

Gentlemen:

SUBJECT: NOTICE OF VIOLATION

This refers to the telephone discussion between Ms. Marlene Taylor of this office and yourself on February 27, 1989. The subject of the discussion was the fact that NRC records show that the license identified above has expired and no renewal application has been filed in accordance with Section 30.37 of Title 10, Code of Federal Regulations, Part 30.

From this discussion 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 30.3 of 10 CFR Part 30. Section 30.3 states:

"Except for persons exempt as provided in this part and Part 150 of this chapter, no person shall manufacture, use, import, or export byproduct material, except as authorized in a specific or general license issued pursuant to the regulations in this chapter."

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 a written reply to this Notice, within twenty days of the date of this letter, explaining the steps you have taken to correct this situation. The corrective actions you take must include the following:

1. Divest yourself of the material immediately in a lawful manner and prepare a statement which explains the method of disposal of the materials, including: what material was involved, how it was disposed of or to whom it was shipped, and when this was done.
2. If the activities conducted under the expired license were subject to the reporting requirements of 10 CFR Part 20, Section 20.407, you must submit the annual report required by 20.407 for the current calendar year and a termination report required by Section 20.408 for individuals engaged in activities under the expired license. Those reports must be shipped to the Director of Management and Program Analysis, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

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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.

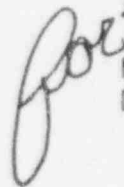
The responses directed by this Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

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.

Sincerely,

Original Signed By:

Jack Davis



John R. White, Chief
Nuclear Materials Safety Section C
Division of Radiation Safety
and Safeguards

Enclosure:
NRC Form 314

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

bcc:
Region I Docket Room (w/concurrences)

RI:DRSS
Taylor/bc
03/27/89

RI:DRSS
White
03/28/89

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