

JUN - 7 1994

Docket No. 030-29343

License No. 29-19310-02  
Expiration Date: August 31, 1991

Environmental Testing Laboratories, Incorporated  
ATTN: Marlene Yourstone  
President  
512 Route 9  
Forked River, New Jersey 08731

Dear Ms. Yourstone:

Subject: **EXPIRED LICENSE**

This concerns your status as a former licensee of the Nuclear Regulatory Commission (NRC). By letter dated January 14, 1993 you were advised that you were no longer authorized to possess or use NRC licensed material as a result of your failure to formally renew your license. You were directed to transfer any licensed material that was in your possession. Enclosed with the January 14, 1993 letter, you were sent a Notice of Violation for possession of this material without a valid NRC license. You were also notified that you were required to respond to the Notice of Violation within 30 days. As of the date of this letter, we have not received a response to the Notice of Violation. Recent communications with the NRC, Region I office, indicate that licensed material in the form of Nickel-63 remains in your possession. This constitutes unauthorized possession of licensed material. You are reminded that all licensed material in your possession must be transferred to an authorized recipient.

You should be aware that unauthorized possession of licensed material constitutes a violation of 10 CFR 30.3. The Atomic Energy Act (the Act), provides both civil and criminal penalties for violations of the Act and regulations issued pursuant to it. Under Section 234 of the Act, any person who violates the Act is potentially liable for a civil penalty which may be assessed at the rate of up to \$100,000 per day. Furthermore, injunctive relief may also be sought. You should be aware also that Section 223 of the Act provides for criminal prosecution for willful violations of the Act. If you have not completed transfer of all remaining licensed material within 30 days of the date of this letter, the NRC will take appropriate action.

If you are unable to transfer the licensed material in your possession within the 30 day period, you must advise the Region I office, in writing, of the details of your efforts to find an authorized recipient for the material and why you cannot transfer or otherwise dispose of the material. The information should include the identities of the entities contacted, the nature of the contact, the fee quoted, if any, and the reason why the entity refuses to accept the material, if it does so.

200006  
940624009B 940607  
PDR ADOCK 03029343  
C PDR

RETURN ORIGINAL TO  
REGION I

OFFICIAL RECORD COPY

1207  
1/0

If you have any questions concerning this matter, please contact Dr. Walter J. Pasciak of my office at 610-337-5258. In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter will be placed in the NRC's Public Document Room.

Sincerely,

**Original Signed By:  
Charles W. Hehl**

Charles W. Hehl, Director  
Division of Radiation Safety  
and Safeguards

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

bcc:

Region I Docket Room (w/concurrences)

J. Lieberman, OE

D. Holody, RI

W. Pasciak, RI

S. Johnson, RI

RI:DRSS

*SLJ*  
Johnson  
6/6/94

RI:DRSS

*[Signature]*  
Pasciak  
6/6/94

RI:DRSS

*[Signature]*  
Bellamy  
6/6/94

~~RI:DRSS~~

~~Shankman  
6/ /94~~

RI:DRSS

*[Signature]*  
Hehl  
6/7/94