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June 15, 1993

Mr. Donnie H Grimsley
USNRC
Washington DC 20555
Mail Stop P-370

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-93-351
Rec'd 6-18-93

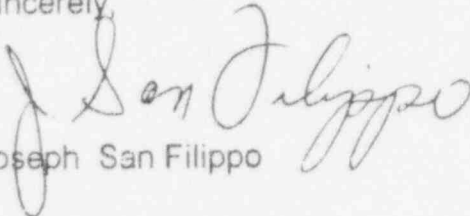
Dear Mr. Grimsley:

I am writing to requests under the aegis of the Freedom of Information Act copies of all relevant documents, including but not limited to the NRC's findings and fines imposed on Rutgers University since 1985. I am particularly interested in the incident described in the enclosed newspaper article, dated November 1, 1991.

If you have any questions, please feel free to contact me at 908-249-7978.

Thank you.

Sincerely,


Joseph San Filippo

Probe 11/13/91 of nuke labs nets RU fine

By J. CRAIG SHEARMAN
Home News education writer

NEW BRUNSWICK — Rutgers University was fined more than \$5,000 yesterday for allowing employees to leave dangerous uranium 235 unprotected on a laboratory bench and keeping food in the same refrigerators as nuclear material, authorities said.

The Nuclear Regulatory Commission imposed the fine after reviewing the results of a May 21-24 inspection of Rutgers laboratories.

The inspection found 19 violations of federal regulations governing the storage and handling of radioactive materials, according to NRC documents. The violations occurred in seven categories and ranged from improper record-keeping to side-by-side storage of nuclear material and food.

The NRC yesterday dropped five of the 19 violations from its complaint and ordered a fine of \$5,535 after hearing the university's response to the charges. The agency had originally said it would fine Rutgers \$6,250.

The NRC said the violations were at Severity Level 3, the midpoint of a scale in which Severity Level 1 is the most serious and Severity Level 5 is the least serious.

The agency criticized the university's program for handling nuclear materials and said the violations could have been prevented.

"Such failures reflect either a lack of understanding of radiation protection principles ... or insufficient (personnel) for more than a cursory (inspection)," wrote Hugh Thompson Jr., deputy executive director for materials safety, in a letter to Rutgers Associate Treasurer Richard Norman.

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FINE

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Norman said in an interview that Rutgers was considering the order to pay the fine but had already begun to improve its procedures for handling radioactive material.

In one of the key incidents cited by the NRC, inspectors found a small quantity of Uranium 235 in an unrestricted Chemistry Department laboratory at the Wright-Reiman Building on the Busch Campus in Piscataway.

In highly purified form and large quantities, Uranium 235 is a key ingredient in the manufacture of nuclear weapons, both NRC and Rutgers officials said.

Only 1 gram of the material was in use, however, and it was enriched to 70 percent purity rather than the 90 percent and above required for weapons-grade uranium, officials said. There are 28 grams in 1 ounce.

"You could not make bombs that would go bang out of this," said Michael Quinlan, acting director of the Rutgers Environmental Health and Safety Department. "You would literally have to eat this to have a problem."

NRC spokesman Karl Abraham agreed that the material was not weapons grade or a significant health threat. He said, however, that proper control of any radioactive material is important because of its potential health hazards in sufficient quantities.

In the incident cited by the NRC, inspectors were able to walk into an unlocked laboratory and were not challenged by a student working there, the agency's report said. The university responded that "it would take malicious intent to become exposed to radioisotopes" but the NRC countered that control still was inadequate.

In the other key incident, "evidence of eating and drinking was observed in numerous laboratories using radioactive materials," the report said. Inspectors found a coffee maker, food and soda cans along with cigarette butts and packages despite university policies against eating and smoking in the labs, the report said.

"Refrigerators containing radioactive materials in several of these posted laboratories also contained food or beverages," the report said. At least two people admitted eating in the labs.

Quinlan conceded that some university employees had violated the no-food and no-smoking rules and that the action was "not something we condone." Eating and smoking are prohibited because they could allow radioactive material to enter the body, he said. Applying makeup is prohibited in the labs because it could hold radioactive material in contact with the skin, he said.