

Docket No. 50-186
License No. R-103
EA 91-113

DEC 20 1991

DCS

University of Missouri - Columbia
ATTN: Dr. James J. Rhyne, Director
Research Reactor Facility
Research Park
Columbia, MO 65201

Gentlemen:

This will acknowledge receipt of your two letters dated November 27, 1991 and your check for \$1,875 in payment for the civil penalty proposed by NRC in a letter dated October 29, 1991.

Your letter of November 27, 1991, entitled, "Answer to a Notice of Violation," cites what you refer to as "a misunderstanding of the circumstances surrounding Violations 1.A and 1.B." The letter requests that, for the purpose of Table 1A of the Enforcement Policy, the violations be categorized under the "Transportation" heading rather than the "Plant Operations" heading. NRC acknowledges that, at the time of the enforcement conference, these violations were being considered as a transportation problem; however, the agency subsequently reconsidered that position for the reason noted in NRC's letter of October 29, 1991. As is clear from the description of events in the opening paragraphs of that letter, there has been no misunderstanding of the circumstances surrounding the violations. The containers were switched during the process of taking them from the reactor pool and placing them in their respective shipping packages. "Plant Operations" accurately encompasses these activities, including those that occur in the hot cell.

Since you paid the civil penalty, we consider this matter closed. We will retain a copy of your letter in the file associated with this enforcement action. Your actions to prevent recurrence may be reexamined during future inspections of your program.

Original Signed by
James Lieberman

Sincerely,
James Lieberman, Director
Office of Enforcement

cc: A. B. Davis

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CONCURRENCE:

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12/18/91	12/17/91

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