

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

|                        |   |                          |
|------------------------|---|--------------------------|
| In the Matter of       | ) |                          |
|                        | ) |                          |
| Random Corporation     | ) | Docket No. 030-16069     |
| 591 Northland Road     | ) | License No. 34-17118-02E |
| Cincinnati, Ohio 45240 | ) |                          |

ORDER SUSPENDING LICENSE  
(EFFECTIVE IMMEDIATELY)

I

Random Corporation (Licensee) is the holder of Materials License No. 34-17118-02E, issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to the Atomic Energy Act of 1954, as amended, that authorizes the activities stated therein. The license has an expiration date of December 31, 1994. On December 8, 1994 the licensee filed an application to renew the license and license has not expired.

II

Pursuant to 10 CFR 171.16, the Licensee is required to pay an annual fee for this license. In accordance with 10 CFR Part 15, the Licensee was sent an original invoice, a second notice, and a final notice requesting payment. The final notice of payment due specifically informed the Licensee that, "non-payment of your fee may result in the revocation of your license in accordance with the enforcement provisions of the Commission's regulations," namely, 10 CFR 171.23. To date, the annual fee(s) listed below have not been paid as required by 10 CFR Part 171.

| <u>Invoice Date</u> | <u>Delinquent Invoices</u><br><u>Invoice Number</u> | <u>Amount Billed</u> | <u>Comment</u> |
|---------------------|---|----------------------|----------------|
| 1. 07/22/95         | AM3730-95   | \$ 8,800.00          |                |
| 2. 06/11/96         | AM0352-96   | 8,200.00             |                |

9/1  
MLW

III

Based on the above, I have concluded that the Licensee has willfully violated NRC requirements. In addition, prior notice of the violation and an opportunity to achieve compliance was provided. Therefore, pursuant to 10 CFR 2.202, I find that the violation requires that this Order be immediately effective. In view of the foregoing and pursuant to Sections 81, 161b, 161c, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, 170.41, 171.23, and 10 CFR Part 30, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, THAT:

- A. License No. 34-17118-02E is suspended with respect to receipt and use of licensed nuclear materials; the license remains in effect with respect to the possession, transfer, and storage of licensed nuclear material remaining in the Licensee's possession, as contamination or in other forms, until the Commission notifies the Licensee in writing that the License is terminated;
- B. Until notified by the Commission in writing that the License is terminated, the Licensee shall:
  - 1. restrict activity involving licensed nuclear material to decommissioning and safe, secure storage or transfer of material; and
  - 2. continue to control entry into restricted areas until the Licensee has determined and NRC has confirmed that such areas are suitable for release for unrestricted use;
- C. The Licensee shall dispose of any licensed nuclear material, acquired or possessed under the authority of License No. 34-17118-02E, and shall take all actions required by 10 CFR 30.36;

- D. Within 30 days from the date of this Order, if the Licensee manufactures, distributes, or provides services to other licensees, the Licensee must notify, in writing, each customer or client that authorization to provide any of these services has been suspended. Furthermore, the Licensee must notify its customers and clients that they may need to amend their licenses to be in compliance with NRC requirements if their license specifically states reliance on the service of the Licensee. The Licensee must provide the Regional Administrator for NRC Region III at 801 Warrenville Road, Lisle, IL 60532-4351 evidence of the notification and a list of customers or clients notified;
- E. The License shall be terminated upon satisfaction of the requirements of 10 CFR 30.36.

The Deputy Chief Financial Officer/Controller may relax or rescind, in writing, any of the above conditions upon a showing by the Licensee of good cause. A request for relaxation of the above conditions shall be submitted to the Deputy Chief Financial Officer/Controller, with a copy to the Regional Administrator, in writing and under oath or affirmation.

#### IV

In accordance with 10 CFR 2.202, the Licensee must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within 30 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Controller, and include a statement of good cause for the extension.

The answer shall be in writing and under oath or affirmation, and shall specifically admit or deny each allegation or charge made in this Order and set forth the matters of fact and law on which the Licensee or other person adversely affected relies and the reasons as to why this Order should not have been issued. Any answer or request for hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Docketing and Service Branch, Washington, DC 20555. Copies shall also be sent to the Deputy Chief Financial Officer/Controller, U.S. Nuclear Regulatory Commission, Washington, DC 20555; the Assistant General Counsel for Hearings and Enforcement at the same address; the Regional Administrator, NRC Region III, 801 Warrenville Road, Lisle, IL 60532-4351; and to the Licensee if the answer or hearing request is by a person other than the Licensee. If a person other than the Licensee requests a hearing, that person shall set forth with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If the Licensee or a person whose interest is adversely affected requests a hearing, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), the Licensor, or any other person adversely affected by this Order may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on

mere suspicion, unfounded allegations, or error. The motion must state with particularity the reasons why the order is not based on adequate evidence and must be accompanied by affidavits or other evidence relied on.

V

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, this Order shall be final 30 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Part III shall be final when the extension expires if a hearing request has not been received. AN ANSWER OR REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

VI

In lieu of filing an answer to the Order, the Licensee may pay the total amount specified below, within 30 days of the date of this Order. This Order is withdrawn if, within 30 days of the date of this Order, the Licensee pays the total amount specified below:

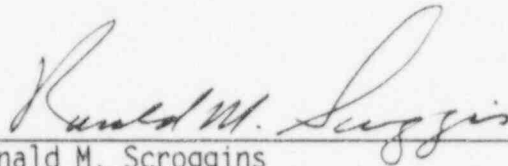
Amounts Due

Calculated Through: August 12, 1996

| <u>Invoice Date</u> | <u>Invoice Number</u> | <u>Amount Billed</u> | <u>Late Charges Due</u> | <u>Amount Due</u> |
|---------------------|-----------------------|----------------------|-------------------------|-------------------|
| 1. 07/22/95         | AM3730-95             | \$ 8,800.00          | \$1,111.88              | \$9,911.88        |
| 2. 06/11/96         | AM0352-96             | 8,200.00             | 90.60                   | 8,290.62          |
|                     |                       |                      | Total Amount:           | \$18,202.50       |

The total amount listed above is a delinquent debt to the United States. Failure to pay the total amount within 30 days of the date of this Order may, pursuant to 10 CFR Part 15, result in referral of the delinquent debt to a collection agency, referral to the U.S. General Accounting Office or the U.S. Department of Justice for collection, or other action deemed appropriate. Pursuant to 10 CFR 15.29, the Commission may not consider an application for a license from the Licensee unless all previous delinquent debts of the Licensee to the NRC, including the delinquent debt(s) identified in this Order, have been paid in full. In addition, failure to meet the requirements of this Order may subject the Licensee and its agents to civil penalties and criminal sanctions.

FOR THE NUCLEAR REGULATORY COMMISSION

  
\_\_\_\_\_  
Ronald M. Scroggins  
Deputy Chief Financial  
Officer/Controller

Dated at Rockville, Maryland  
this 4<sup>th</sup> day of September, 1996