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MARYLAND DEPARTMENT OF THE ENVIRONMENT  
Air & Radiation Management Administration  
Radiological Health Program

# Facsimile Transmittal Sheet

**TO:**Dick Bangart/NRC/OSP**FROM:**Roland G. Fletcher

MDE-ARMA-Radiological Health Program  
2500 Broening Highway ♦ Baltimore MD 21224  
410-631-3300 [phone] ♦ 410-631-3198 [fax]  
or 1-800-633-6101 (in Maryland only)

**DATE:**September 14, 1998**# OF PAGES** (including this sheet): 3**COMMENTS:** The July 30, 1996 reference involves Steve Baggett andTom Rish . It was an investigation of leaking sources which NPI manu acturedand sold. The accompaniment of Terry Fragee to NPI during the IMPEP wasnot mentioned since he is not a NRC employee.

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*Radiation*

MARYLAND DEPARTMENT OF THE ENVIRONMENT  
2500 Broening Highway • Baltimore, Maryland 21224  
(410) 631-3000

Parris N. Glendening  
Governor

SEP 11 1998

Jane T. Nishida  
Secretary

Michael Mariotte, Executive Director  
Nuclear Information and Resource Service  
1424 16th Street NW, Suite 404  
Washington D.C. 20036

Dear Mr. Mariotte:

This letter responds to your August 14, 1998 correspondence, in which you pointed out what you considered omissions in my letter to you dated July 27, 1998 concerning Neutron Products, Inc. (NPI), a Maryland licensed radioactive material manufacturer located in Dickerson, Maryland. My earlier correspondence to you summarized enforcement and other actions taken by the Department regarding this facility. This response focuses on the issues raised in your most recent letter.

With regard to your comments on the threatening statements made by NPI's President, the Maryland Department of the Environment (MDE) has taken them very seriously. In a recent letter to Delegate Jean Cryor, MDE's Secretary, Jane Nishida, clearly states that MDE is prepared to use police escorts or court orders to ensure the safety of State inspectors. As serious as these allegations against NPI's President are, however, they alone do not warrant your suggested action of revoking the facility's radioactive material manufacturing license.

The taping to which you refer occurred only once as a result of a miscommunication between MDE management and field staff. It has been discontinued for the very reasons you cite, i.e., to ensure that employees feel free to frankly and honestly discuss issues and concerns during interviews by inspectors.

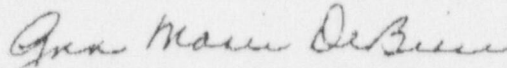
You have also called into question Maryland's ability to regulate the NPI facility and state that you find it necessary to contact the Nuclear Regulatory Commission (NRC) regarding Maryland's licensing program. I can assure you that the NRC (whose predecessor the Atomic Energy Commission originally issued the facility license) is very familiar with NPI and has participated in joint inspections with MDE as recently as July 30, 1996. The NRC routinely reviews MDE's enforcement actions, including those taken against NPI, when they conduct periodic reviews of Maryland's program.

Mr. Michael Mariotte

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In conclusion, let me assure you that MDE intends to continue a heightened level of regulatory oversight of this facility in accordance with the established rules, regulations, and practices currently in effect. We will pursue any and every possible enforcement resource available to us to ensure the safety of the residents of Dickerson. Should you have further questions please contact me at (410) 631-3255.

Sincerely,



*for* Merrylin Zaw-Mon, Director  
Air and Radiation Management Administration

cc: Jane Nishida, Secretary, Department of the Environment  
The Honorable Shirley Jackson  
The Honorable Barbara Mikulski  
The Honorable Constance Morella  
The Honorable Paul Sarbanes