



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
1600 EAST LAMAR BOULEVARD  
ARLINGTON, TEXAS 76011-4511

August 31, 2021

EA-20-134

Kevin Satterlee, President  
Idaho State University  
921 S. 8<sup>th</sup> Ave., Stop 8130  
Pocatello, Idaho 83209-8130

SUBJECT: REPLY TO NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF \$45,000  
CIVIL PENALTY, NRC INSPECTION REPORT 030-32322/2020-001;  
030-38726/2020-001; 070-01374/2020-001

Dear Mr. Satterlee:

On July 22, 2021, the U.S. Nuclear Regulatory Commission (NRC) cited Idaho State University (ISU) for five Severity Level III violations involving failures to: (1) complete a 100 percent source inventory as required by a Confirmatory Order issued to ISU; (2) have written procedures that were reviewed and approved by the ISU reactor safety committee for the use of the licensed materials in the subcritical assembly; (3) perform a physical inventory that consisted of a determination on a measured basis for the quantity of uranium-235 on hand at a given time; (4) submit a form with your Material Balance Report to adjust for the difference in quantity of special nuclear material that you possessed versus what was reported to the NRC; and (5) establish written operating and emergency procedures for the use of a category 2 americium-241/beryllium source.

The July 22, 2021, Notice of Violation required you to respond in writing within 30 days (Agencywide Documents Access and Management System (ADAMS) Accession number [ML21204A171](#)). You responded by letter dated August 18, 2021 (ADAMS Accession number [ML21236A132](#)).

After reviewing the information that you provided in your response to the Notice of Violation, we have concluded that your completed and proposed actions appear to adequately address the regulatory noncompliance described in the Notice of Violation. We will review your implementation of these corrective actions during a future inspection to determine whether full compliance has been restored and whether compliance will be maintained.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Signed by Roldan-Otero, Lizette  
on 08/31/21

Lizette Roldán-Otero, PhD, Chief  
Materials Inspection Branch  
Division of Nuclear Materials Safety

Docket Nos. 030-32322, 030-38726, 070-01374  
License Nos. 11-27380-01, 11-27380-04, SNM-1373

cc:  
Mark Dietrich  
Radiation Control Program Director  
Idaho Department of Environmental Quality  
1410 North Hilton Drive  
Boise, ID 83706

REPLY TO NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF \$45,000 CIVIL PENALTY, NRC INSPECTION REPORT 030-32322/2020-001; 030-38726/2020-001; 070-01374/2020-001, DATED AUGUST 31, 2021

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ADAMS ACCESSION NUMBER: **ML21243A318**

SUNSI Review:                      ADAMS:                       Non-Publicly Available                       Non-Sensitive                      Keyword:  
 By: JFK     Yes  No                       Publicly Available                       Sensitive

OFFICE	DNMS:MIB	DNMS:C:MIB				
NAME	JFKatanic	LRoldanOtero				
SIGNATURE	/RA/	/RA/				
DATE	8/26/2021	8/31/2021				

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