



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001**

January 3, 2002

EA-01-319

Mr. Leonard R. Smith, CHP
Radiation Protection Officer
PerkinElmer Life Sciences
549 Albany Street
Boston, MA 02118

SUBJECT: NON-CITED VIOLATIONS OF 10 CFR 110.23

Dear Mr. Smith:

This refers to communications between representatives of PerkinElmer Life Sciences (PerkinElmer) and the U.S. Nuclear Regulatory Commission (NRC) on November 21, 2001, followed up by a letter from you dated November 27, 2001 reporting that PerkinElmer violated NRC general license export regulations in 10 CFR 110.23. Specifically, contrary to 10 CFR 110.23(a)(6), PerkinElmer exported five shipments containing a total of twelve tritium labeled compounds to the U.K. in 1999 and 2000, and the compounds exceeded the NRC general license limit of 40 curies or less per item.

Based on the information provided by PerkinElmer, the NRC has determined that Severity Level IV violations of NRC requirements occurred. These violations are being treated as Non-Cited Violations (NCVs), consistent with Section VI.A of the Enforcement Policy. These NCVs are described above. If you contest the violations or significance of these NCVs, you should provide a response within 30 days of the date of this letter, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to the Director, Office of International Programs, United States Nuclear Regulatory Commission, Washington, DC 20555-0001 and the Director, Office of Enforcement, at the same address.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice" a copy of this letter and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Frank J. Congel, Director
Office of Enforcement

cc: J. Dunn Lee, NRC/OIP
J. Owens, NRC/OIP
R. DeLaBarre, Dept. of State
M. Kaznova, NAC/MMSS
P. Dedik, Dept of Energy

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