



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
2100 RENAISSANCE BLVD., SUITE 100
KING OF PRUSSIA, PA 19406-2713

March 26, 2014

Docket Nos. 030-36099
030-36179

License Nos. 06-30764-01
06-30764-02MD

Bill Dowd
Chief Operating Officer
Eckert & Ziegler BEBIG, Inc.
115 Hurley Road, Building 3A
Oxford, CT 06478

SUBJECT: NRC INSPECTION REPORT NO. 03036099/2014001 AND 03036179/2014001,
ECKERT & ZIEGLER BEBIG, INC., OXFORD, CONNECTICUT SITE AND
NOTICE OF VIOLATION

Dear Mr. Dowd:

On February 26 & 27, 2014, John Miller and Scott Wilson of this office conducted a safety inspection at the above address of activities authorized by the above listed NRC licenses. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspectors, interviews with personnel, and a selective examination of representative records. The preliminary findings of the inspection were discussed with you, Henry Couture and Wayne Richardson of your organization at your site on February 27, 2014, and the inspection concluded with a telephone conversation with Wayne Richardson on March 25, 2014.

Based on the results of this inspection, and in accordance with the NRC Enforcement Policy, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation involved the use of licensed material by individuals not authorized by your license and not under the supervision of the individuals authorized in Condition 13 of NRC License No. 06-30764-01.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC.

During our discussion on site on February 27, 2014, you indicated that you would immediately submit an amendment request to add Matt Bouffard, a physicist on your staff, as an authorized user on your license. Further, you stated that in the near future you will submit an additional request to add additional personnel from your organization as authorized users on your license.

The NRC has concluded that information regarding the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed in our records and in your correspondence dated February 27, 2014. Therefore, you are not required to respond to this letter unless the description of your corrective actions in this letter does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, 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 NRC document system (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

Please contact John Miller at 610-337-5089 if you have any questions regarding this matter.

Sincerely,

Original signed by Blake Welling

Blake Welling, Chief
Commercial, Industrial, R&D and Academic Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc w/Enclosure:
Wayne Richardson, Radiation Safety Officer
State of Connecticut

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Blake Welling, Chief
Commercial, Industrial, R&D and Academic Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc w/Enclosure:
Wayne Richardson, Radiation Safety Officer
State of Connecticut

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OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	JMiller/jjm		SWilson/sw		BWelling/bw			
DATE	03/25/14		03/25/14		03/26/14			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Eckert & Ziegler BEBIG, Inc.
Oxford, CT

Docket No. 030-36099
License No. 06-30764-01

During an NRC inspection conducted on February 26 & 27, 2014, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 30.34(c) requires, in part, that each licensee confine his possession and use of byproduct materials to the locations and purposes authorized by the license.

Condition 13 of License No. 06-30764-01 requires, in part, that licensed material shall be used by, or under the supervision of Timothy Delaney and Warren Rice.

Contrary to the above, on February 24-27, 2014, licensed material was not used by or under the supervision of Timothy Delaney or Warren Rice. Specifically, as of February 24, 2014, Timothy Delaney and Warren Rice no longer worked at the licensee's facility and radioactive material continued to be used by employees while not under the supervision of the aforementioned individuals on February 24-27, 2014.

This is a Severity Level IV violation (Enforcement Policy Section 6.3).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 26th day of March 2014