



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 E. LAMAR BLVD
ARLINGTON TX 76011-4511

April 6, 2016

Ms. Teresa Gallant
Radiation Safety Officer
Choctaw Nation of Oklahoma Housing Authority
1005 S. 5th Street
Hugo, OK 74743

SUBJECT: TERMINATION OF NRC RADIOACTIVE MATERIALS LICENSE NO. 35-27650-01
AND NOTICE OF VIOLATION

Dear Ms. Gallant:

By application dated January 13, 2016, you informed the U.S. Nuclear Regulatory Commission (NRC) that you wished to terminate your NRC radioactive materials license. The NRC Form 314 dated January 13, 2016, stated that all radioactive material had been transferred to Troxler Electronic Laboratories.

The supporting documentation to the NRC Form 314 also provided a copy of the most recent leak test results for the portable gauge. The leak test results document that there was no evidence of leakage of radioactive material from the sealed sources. The NRC staff has reviewed the supporting documentation to your NRC Form 314 and based on the documentation submitted and a review of your historical file, the staff concluded that all licensable radioactive material has been removed from the facility and the facility located at 1005 South 5th Street, Hugo, Oklahoma, is suitable for unrestricted use in accordance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." Based on these conclusions, no further remediation or actions with respect to NRC regulated material is required.

However, based on the results of this review, the NRC has determined that one violation of NRC requirements occurred. The violation involved the failure to perform a leak test prior to transferring the gauge in preparation for terminating your license. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in the subject Notice. The violation is being cited in the Notice because it was identified by the NRC during the license termination process.

Since you provided documentation that the leak test was performed by the recipient upon receipt of the gauge and found no evidence of leakage of material from the sealed sources, the NRC has concluded that: (1) the reason for the violation; (2) corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in the application dated January 13, 2016 [ML16025A077] and the supplemental information provided on March 28, 2016 [ML16095A300]. Therefore, you are not required to respond to this letter unless the description herein 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.

Please find enclosed Amendment No. 03 to License No. 35-27650-01 authorizing your license termination. An environmental assessment for this action is not required since this action is categorically excluded under 10 CFR 51.22(c)(20)(ii).

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure(s), 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's Agencywide Documents Access and Management System (ADAMS), accessible from the Web site 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.

Should you have any questions concerning this issue, please contact Casey Alldredge at 817-200-1547 or the undersigned at 817-200-1455.

Sincerely,



Vivian H. Campbell, Chief
Nuclear Materials Safety Branch B
Division of Nuclear Materials Safety

Docket No: 030-35272
License No: 35-27650-01
Control No: 589929

Enclosures:

1. Notice of Violation
2. License Termination

cc w/enclosure:

Mike Broderick, Radiation Control Program Director, Oklahoma