



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

February 7, 2019

EA 18-135

Robert Knapik, Ph.D., Associate Professor
and Chair/Radiation Safety Officer
Physics Department
Norwich University
158 Harmon Drive
Northfield, Vermont 05663

**SUBJECT: NORWICH UNIVERSITY - NRC INSPECTION NO. 03001092/2018001 AND
NOTICE OF VIOLATION**

Dear Dr. Knapik:

This letter refers to the inspection conducted on November 13, 2018, at your Northfield, Vermont facility, with continuing in-office review through February 7, 2019. This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. An exit meeting was conducted by telephone on February 7, 2019, between Steven Courtemanche of my staff and Lauren Wobby, of your organization, regarding the findings of the inspection.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. These violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations are cited in the enclosed Notice of Violation (Notice) because the violations were identified by the NRC.

The NRC has concluded that information regarding: (1) the reason for the violations; (2) the 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 and include: submission of an amendment naming a Radiation Safety Officer, implementing a procedure for ensuring an orderly transfer of the Radiation Safety Officer's responsibilities, and notifying the NRC of the licensee's intent to start decommissioning. 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.

In accordance with 10 CFR 2.390 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 NRC document system (ADAMS),

accessible from the NRC 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.

If you have any questions regarding this matter, please contact Steven Courtemanche of my staff at (610) 337-5075 or via electronic mail at Steven.Courtemanche@nrc.gov.

Thank you for your cooperation.

Sincerely,

/RA/

Monica L. Ford, Acting Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 03001092
License No. 44-07570-01

Enclosure:
Notice of Violation

cc w/Encl: State of Vermont

NORWICH UNIVERSITY – NRC INSPECTION NO. 03001092 AND NOTICE OF VIOLATION
DATED FEBRUARY 7, 2019DISTRIBUTION:
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NOTICE OF VIOLATION

Norwich University
Northfield, Vermont

Docket No. 03001092
License No. 44-07570-01

During an NRC inspection conducted on November 13, 2018, with continuing in-office review through February 7, 2019, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. License Condition No. 12 of NRC License No. 44-07570-01, dated August 3, 2015, authorizes a specific individual to fulfill the duties and responsibilities of the Radiation Safety Officer (RSO) for the license.

Contrary to the above, from June 30, 2018 to December 21, 2018, the individual authorized in Condition 12 of the license did not fulfill the duties and responsibilities of RSO for the license. Specifically, the RSO named on the license left the employ of the licensee on June 30, 2018, and Norwich University did not submit an amendment request to name a new RSO until December 21, 2018.

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

- B. 10 CFR 30.36(d)(3) requires, in part, that, within 60 days of the occurrence of no principal activities under the license having been conducted for a period of 24 months, a licensee shall provide notification to the NRC in writing of such occurrence, and either begin decommissioning its site, or any separate building or outdoor area that contains residual radioactivity so that the building or outside area is suitable for release in accordance with NRC requirements, or submit within 12 months of notification a decommissioning plan, if required by paragraph (g)(1) of this section, and begin decommissioning upon approval of that plan.

Contrary to the above, although no principal activities under the license had been conducted for a period greater than 24 months, Norwich University did not, within 60 days, provide notification to the NRC in writing of such occurrence, and either begin decommissioning its site or any separate building or outdoor area that contains residual radioactivity so that the building or outdoor area is suitable for release in accordance with NRC requirements, or submit a decommissioning plan, if required, and begin decommissioning upon approval of that plan. Specifically, Norwich University last used licensed material in 2013, but did not provide notification to the NRC until December 21, 2018.

This is a Severity Level IV violation (Enforcement Policy Section 6.9).

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violations 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, if one is provided, 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 7th day of February, 2019