

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )

Docket No. 027-00010

NUCLEAR ENGINEERING COMPANY, INC )

License No. 04-03766-01

9200 Shelbyville Road )

Louisville, Kentucky 40207 )

ORDER SUSPENDING LICENSED ACTIVITIES

I

Nuclear Engineering Company, Incorporated ("the licensee") is the holder of NRC License No. 04-03766-01 ("the license"), which authorizes the company to bury special nuclear materials for permanent storage at a site near Beatty, Nevada, in accordance with the conditions specified therein.

II

As a result of an investigation initiated on March 9, 1976, it was determined that tools, equipment and materials which were contaminated with radioactive materials had been removed from the licensee's site at Beatty, Nevada, and were in the unauthorized possession of a number of local town residents outside the restricted area. From this, it is apparent that the licensee's implementation of operating procedures which are conditions of the license, is inadequate for the control of radioactive materials and, therefore potentially hazardous conditions may exist at, and in the vicinity of the licensee's Beatty, Nevada facility.

III

In view of the foregoing, the Director of the Office of Inspection and Enforcement finds that the public health, safety or interest requires that no prior notice is necessary and that, pursuant to 10 CFR 2.202(f) the use, processing, handling and burial of special nuclear material under license

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ATTACHMENT C

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No. 04-03766-01 should be suspended effective ~~immediately~~. Notwithstanding the above, the licensee may process and bury any radioactive waste materials which are now on site or in transit to the site as of the time this order is received by the licensee.

IV

In view of the foregoing and pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in 10 CFR Parts 2, 20, 30, 40 and 70, IT IS HEREBY ORDERED THAT:

All activities under the license involving the use, processing, handling and burial of special nuclear materials, except those materials now at the site or in transit to the site, are suspended effective ~~immediately~~ pending further order.

V

The licensee may, within twenty (20) days of the date of receipt of this Order, file a written answer to this order under Oath or Affirmation and may also request a hearing within said twenty (20) day period. If a hearing is requested, the Commission will issue an Order designating the time and place of hearing. Any request for a hearing shall not stay this order.

VI

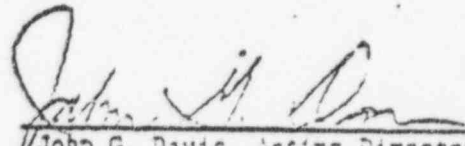
In the event the licensee files a request for hearing within the time specified, the issues to be considered at such hearing shall be:

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1. Whether the potentially hazardous conditions described in Section II above exists; and
2. Whether, on the basis of such conditions, this order should be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION

  
John G. Davis, Acting Director  
Office of Inspection and Enforcement

Dated at Bethesda, Maryland,  
This 11th day of March 1976

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