

U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Enforcement Conference Report No. 030-06787/92001(DRSS)

Docket No. 030-06787

License No. 48-13752-01

Licensee: Nuclear Instrument Corporation
Milwaukee, WI

Meeting Date: October 8, 1992

Meeting At: Region III Office, Glen Ellyn, IL

Type of Meeting: Enforcement Conference

Inspection Conducted: On site February 5, 1992;
In office review of licensee files and correspondence
from September 25, 1991, through August 5, 1992.

Inspector:

Thomas F. Young
T. F. Young
Radiation Specialist

11/13/92
Date

Reviewed by:

B. J. Hoyt
B. J. Hoyt, Chief
Nuclear Material Safety
Section 1

11/20/92
Date

Meeting Summary:

Enforcement Conference on October 8, 1992, (Report No. 03006787/92001 (DRSS))

Areas Discussed: The apparent violations and areas of concern identified during the inspection, and the licensee's response to the Demand for Information were reviewed. The enforcement options pertaining to the apparent violations were also discussed with the licensee.

DETAILS

1. Persons Present at Conference

Nuclear Instrument Corporation:

John R. Martin, President

U. S. Nuclear Commission:

C. E. Norelius, Director, Division of Radiation Safety and Safeguards, Region III

B. J. Holt, Chief, Nuclear Materials Inspection Section 1, Region III

B. A. Berson, Region III Counsel

P. R. Pelke, Enforcement Specialist, Region III

R. J. DelMedico, Enforcement Specialist, Office of Enforcement

D. R. Gibbons, Radiation Specialist, Region III

T. F. Young, Radiation Specialist, Region III

2. Enforcement Conference

An enforcement conference was held in the NRC Region III Office on October 8, 1992. This conference was conducted as a result of preliminary findings of the inspection activities conducted during the period of September 25, 1991, to August 5, 1992, in which apparent violations of NRC regulations and license conditions were identified. The apparent violations were transmitted to the licensee by fax and by U. S. mail on October 6, 1992.

The purpose of this conference was to (1) discuss the apparent violations, the apparent causes, and the licensee's understanding of the inspection facts leading to the apparent violations; (2) discuss the licensee's response to the Demand for Information; (3) determine if there were any escalating or mitigating circumstances; (4) and obtain any information which would help determine the appropriate enforcement action.

The licensee's representative described the circumstances pertaining to each apparent violation and explained actions taken to search for pertinent records for each apparent violation. In summary, the licensee's records do not indicate dates when sealed sources and devices were received and transferred. The licensee's representative recalled procedures and research activities associated with the sealed sources and devices, but could not recall specific dates and individuals to whom transfers were made. The licensee's representative contested apparent violations A., B., C., and E. The licensee's representative did not contest apparent violation D. The NRC subsequently concluded that apparent violations A., B., D., and E. were valid and that apparent violation C. was not valid.

At the conclusion of the meeting, the licensee was informed that a notice of final enforcement action would be issued in the near future.