

JUN 03 1985

Pocket No. 030-02536  
Inquiry No. 85-01

License No. 29-11732-01  
Expiration Date: February 28, 1985

Charles E. Dooley, Jr., M.D.  
261 Orchard Street  
Westfield, New Jersey 07090

Gentlemen:

Subject: NOTICE OF VIOLATION

This refers to the telephone discussion between Laurence F. Friedman, Ph.D., C.H.P., of this office and yourself on May 16, 1985. The subject of the discussion was the fact that NRC records show that the license identified above has expired and no renewal application has been filed in accordance with Section 30.37 of Title 10, Code of Federal Regulations, Part 30.

From this discussion we learned that you possessed material which requires a specific NRC license on April 29, 1985, after your license had expired. Your possession of that material without a valid, specific license is a violation of Section 30.3 of 10 CFR Part 30. Section 30.3 states:

"Except for persons exempt as provided in this part and Part 150 of this chapter, no person shall manufacture, use, import, or export byproduct material, except as authorized in a specific or general license issued pursuant to the regulations in this chapter."

This Notice of Violation is sent to you under the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office a written statement or explanation in reply including: (1) corrective steps which have been taken by you, and (2) corrective steps which will be taken to avoid this happening in the future.

We note that you have already filed an application for a new license. Therefore, in your reply you need only address the steps you will take to avoid this happening in the future. From the May 16, 1985, telephone conversation, we understand that you do not now possess licensed material. You are cautioned that, until your new license is issued, you are prohibited from acquiring, possessing or using licensed material.

You are required to reply to this Notice within 30 days of the date above. Address your reply to Region I, U. S. Nuclear Regulatory Commission, Attention: Chief, Nuclear Materials Safety Section B, 631 Park Avenue, King of Prussia, Pennsylvania 19406.

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Charles E. Dooley, Jr., M.D.

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In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room.

The responses directed by this Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

We request that you give prompt attention to these matters. Should you have any questions regarding them, we would be pleased to discuss them with you.

Sincerely,

Original Signed By:  
John E. Glenn

John E. Glenn, Ph.D., Chief  
Nuclear Materials Safety Section B  
Division of Radiation Safety  
and Safeguards

cc:  
Public Document Room (PDR)  
Nuclear Safety Information Center (NSIC)  
State of New Jersey

bcc:  
Region I Docket Room (w/concurrences)

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Friedman/dj  
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Glenn  
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