

MAY 24 1985

Docket No. 030-10490

License No. 37-16144-01

Messiah College  
ATTN: Benjamin W. Myers Ph.D.  
Associate Professor of Biology  
Grantham, Pennsylvania 17027

Gentlemen:

SUBJECT: NOTICE OF VIOLATION/85-01

This refers to the telephone discussion between Miss Judith A. Joustra of this office and yourself on May 7, 1985. From this discussion we learned that you possess a Micro-Tech MT-220 gas chromatograph which contains radioactive material which requires a specific NRC license. Your possession of this licensed 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 persons shall manufacture, produce, transfer, receive, acquire, own, possess, or use, 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: corrective steps which will be taken to avoid this happening in the future.

Since you plan to continue possessing this gas chromatograph which contains radioactive material, your corrective steps must include prompt filing of an amendment to include the manufacturer and model numbers of the detector cells you possess. Accordingly, you must submit the fees, as required by Section 170.31 of 10 CFR Part 170.

We will address your request for a change in leak test frequency when we receive this amendment request. Please be sure to account for all gas chromatograph detector cells you may possess which are specifically licensed by the NRC.

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: John E. Glenn, Ph.D., Chief, Nuclear Materials Section B, 631 Park Avenue, King of Prussia, Pennsylvania 19406.

8506100196 850524  
REG1 LIC30  
37-16144-01 PDR

OFFICIAL RECORD COPY

853JOUSTRAS/7/85 - 0001.0.0  
05/17/85

RETURN ORIGINAL TO  
REGION I

IE:07 1/0

MAY 24 1985

Messiah College

-2-

In accordance with Section 2.790 of the NRC's "Rule 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, Chief  
Nuclear Materials Safety Section B  
Division of Radiation Safety  
and Safeguards

cc:  
Public Document Room (PDR)  
Nuclear Safety Information Center (NSIC)  
Commonwealth of Pennsylvania

bcc:  
Region I Docket Room (w/concurrences)

RI:DRSS *JS* RI:DRSS  
Joustra/kl Glenn  
5/20/85 5/21/85

OFFICIAL RECORD COPY

853JOUSTRAS5/7/85 - 0002.0.0  
05/17/85