

MAY 22 1985

70-1235

United States Department of the  
Interior  
Geological Survey  
Office of Marine Geology  
P. O. Box 6732  
Corpus Christi, Texas 78411

License: SNM-1179  
Expiration Date: April 30, 1985

Gentlemen:

SUBJECT: NOTICE OF VIOLATION

This refers to the telephone discussion between Glen Brown of this office and Dr. C. W. Holmes of your organization on May 2, 1985. The subject of the discussion was the fact that NRC records show that the Special Nuclear Materials 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 our discussion with your representatives, we learned that you still possess material which requires a specific NRC license. Your possession of that material without a valid, specific license is a violation of Section 30.3, 10 CFR Part 30. Section 30.3 states:

Section 30.3 Activities Requiring License. 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, 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, within 30 days of your receipt of this notice, 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.

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.

In addition to your reply to this Notice of Violation, if you want to continue your program you must immediately submit the enclosed NRC Form 313, "Application for Material License," to this office, U. S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011, Attention: Chief, Nuclear Materials Safety and Safeguards Branch.

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

RIV:TA:DRS&S  
GBrown:lt  
5/15/85

NMS&SB  
RJEverett  
5/17/85

D:DRS&S  
RLBangart  
5/20/85

8505290237 850522  
REG4 LIC70  
SNM-1179

PDR

IE07  
110

Also, you must immediately place the radioactive material on hand in secure storage until such time as you acquire a valid license. No other use of the material on hand or purchase of additional byproduct material is authorized. Include a statement in your reply to this Notice of Violation confirming that you have taken this action and describing the controls that will be exercised over the stored material until such time that you obtain a valid license.

Since your present license has expired, your application for renewal will be processed as a request for a new license.

If you choose not to reactivate your license, you must divest yourself of the material immediately, in a lawful manner, and complete the enclosed NRC Form 314, "Certificate of Disposition of Materials," along with a contamination survey of your facilities. The residual contamination cannot exceed the Diminus Levels specified in the enclosed document "Guidelines For Decontamination." Submit your survey within 30 days to the U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76012, Attention: Acting Chief, Nuclear Materials Safety and Safeguards Branch.

The response directed by this Notice is 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:

**R. J. EVERETT**

R. J. Everett, Acting Chief  
Nuclear Materials Safety and  
Safeguards Branch.

Enclosures:

1. NRC Form 313
2. NRC Form 314
3. Guidelines for Decontamination

cc w/o enclosures:

Vandy L. Miller, Chief, Licensing  
Management Branch, NMSS

Texas Radiation Control Program Director

bcc: DMB (IE07)

R. Martin  
R. Bangart  
T. Westerman  
G. Brown  
RIV Files  
NMS&SB