

## NOTICE OF VIOLATION

Progenitor, Inc.  
Columbus, Ohio

Docket No. 030-33959  
License No. 34-26678-01

During an NRC inspection on August 8, 1996, with continued NRC review through September 17, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600 (60 FR 34381, dated June 30, 1995), the violation is listed below:

Condition No. 17 of License No. 34-26678-01 states that the licensee shall conduct its program in accordance with the statements, representations and procedures contained in an application dated September 11, 1995.

One of the attachments to the September 11, 1995 application entitled Radiation Surveys states: "Because of the activities of the radionuclides, area wipes will be made monthly. These wipes will be counted in the Beckman liquid scintillation counter."

Contrary to the above, monthly wipe surveys for loose contamination in laboratory No. 110 have not been conducted from the inception of this requirement on February 20, 1996 to the date of the inspection, August 8, 1996.

This is a Severity Level IV violation (supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Progenitor, Inc. is hereby required to submit a written statement or explanation to the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D. C. 20555, with a copy to the Regional Administrator, Region III, 801 Warrenville, Rd, Lisle, Illinois 60532-4351 within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at Lisle, Illinois  
this 2nd day of October 1996