

MAY 24 1985

Docket No. 030-10977
Inquiry No. 85-02

License No. 20-16407-01
Expiration Date: April 30, 1985

Energy Resources Co., Inc.
c/o E.R.C.O. - E.N.S.C.O.
ATTN: Ellie Kwong
205 Alewife Brook Parkway
Cambridge, Massachusetts 02138

Gentlemen:

SUBJECT: NOTICE OF VIOLATION

This refers to the telephone discussion between Judith Joustra of this office and yourself on May 10, 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 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 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.

Since you plan to continue possession of radioactive material, your corrective steps must include prompt filing of an application for a new license. Since your present license has expired, your application will be processed as a request for a new license. Accordingly, you must determine if your program is subject to a license fee as required by Section 170.31 of 10 CFR Part 170 and, if one is required, submit the appropriate fee along with the application. Copies of appropriate application forms and guides are enclosed for your use.

8506100014 850524
REG1 LIC30
20-16407-01 PDR

OFFICIAL RECORD COPY

873JOUSTRAS/10/85 - 0001.0.0
05/20/85

RETURN ORIGINAL TO
REGION I

IE:07 1/0

MAY 24 1985

Energy Resources Co., Inc.

-2-

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 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.

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.

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, Chief
Nuclear Materials Safety Section B
Division of Radiation Safety
and Safeguards

Enclosures:

1. NRC Form 313
2. Guide for the preparation of Applications for
Licenses for Gas Chromatograph Devices
3. 10 CFR Part 170

cc:

Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Massachusetts

bcc:

Region I Docket Room (w/concurrences)
Lester Tripp

OFFICIAL RECORD COPY

873JOUSTRA5/10/85 - 0002.0.0
05/20/85

MAY 24 1985

Energy Resources Co., Inc.

-3-

RI:DRSS
Joustra/kl
5/21/85

RI:DRSS
Glenn
5/21/85

OFFICIAL RECORD COPY

873JOUSTR5/10/85 - 0003.0.0
05/20/85