

December 20, 1996

Docket Nos. 030-01786  
030-08478  
030-17872

License No. 19-00296-10  
19-00296-17  
19-00296-20

Michael M. Gottesman, M.D.  
Deputy Director for Intramural Research  
Department of Health and Human Services  
National Institutes of Health  
NIH Building 1, Room 114  
3000 Rockville Pike  
Bethesda, Maryland 20892

SUBJECT: INSPECTION NOS. 030-01786/96-002, 030-08478/96-001, AND 030-17872/96-001, NOTICE OF VIOLATION, AND CLOSURE OF CONFIRMATORY ACTION LETTER 1-95-011 (REVISION 1)

Dear Dr. Gottesman:

This refers to the inspection conducted on September 16-20, 1996, at your facilities located in Bethesda, Rockville, and Baltimore, Maryland. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with you and those members of your staff identified in the enclosed report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, two apparent violations were identified. The apparent violations involved the failure to secure, from unauthorized removal or access, licensed materials that were stored in controlled or unrestricted areas, and the failure to follow procedures for safely opening packages containing radioactive material. A Notice of Violation (Notice) is not presently being issued for the apparent violation of security requirements pending further NRC staff review of the apparent violation identified by the NRC and the instances identified by the licensee where radioactive materials were not adequately secured. A Notice of Violation for the failure to follow your procedures for safely opening packages is enclosed. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

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M. Gottesman, M.D.  
National Institutes of Health

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This letter also refers to Confirmatory Action Letter 1-95-011, Revision 1 (CAL), issued on July 21, 1995, following the identification of phosphorus-32 contamination in a water cooler located on the 5th floor of Building 37 and the internal contamination, with this isotope, of several researchers who worked in this area. As described in the enclosed report, NRC has determined that NIH completed the actions described in the CAL satisfactorily within the required timeframe. No further response is required regarding this CAL.

In accordance with 10 CFR 2.790, a copy of this letter, its enclosures, and your response will be placed in the NRC Public Document Room.

Your cooperation with us is appreciated.

Sincerely,

**ORIGINAL SIGNED BY:**

Charles W. Hehl, Director  
Division of Nuclear Materials Safety

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Enclosures:

- (1) Combined Inspection Report Nos. 030-01786/96-002, 030-08478/96-001, and 030-17872/96-001
- (2) Notice of Violation

cc w/enclosures:

Robert A. Zoon, Radiation Safety Officer  
State of Maryland

M. Gottesman, M.D.  
National Institutes of Health

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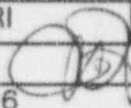


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