

SEP 27 1985

Docket No. 99990001

Non-Licensee

E. M. Becker Company
ATTN: Mr. Becker
P. O. Box 119
Bala Cynwyd, Pennsylvania 19004

Gentlemen:

Subject: NOTICE OF VIOLATION 85-50

This refers to the telephone discussion between Miss Judith A. Joustra of this office and yourself on September 4, 1985. From this discussion we learned that you did possess and transfer a gas chromatograph which contains radioactive 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 or Part 150 of this chapter, no person shall manufacture, produce, transfer, receive, acquire, own, possess, or use, by-product 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 have been taken to avoid this happening in the future.

Since you plan to possess radioactive material in the future, your corrective steps must include prompt filing of an application for a materials 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 applications and guides are enclosed for your use.

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.

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.

8510020319 850927
IE GA999 EMV*****
99990001 PDR

OFFICIAL RECORD COPY

LTR E M BECKER - 0001.0.0
09/09/85

RETURN ORIGINAL TO
REGION I

IE:07 10

SEP 27 1985

E. M. Becker Company

2

The response 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, Ph.D., Chief
Nuclear Materials Safety Section B
Division of Radiation Safety
and Safeguards

Enclosures:

1. Form NRC 313
2. Guide for Gas Chromatograph & X-ray Fluorescence Analyzers
3. Guidelines for Applications for Registration of Devices

cc:

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

bcc:

Region I Docket Room (w/concurrences)

RI:DRSS *gms*
Joustra/djh

9/13/85



RI:DRSS
Glenn

9/13/85
OFFICIAL RECORD COPY

LTR E M BECKER - 0002.0.0
09/09/85