

JAN 29 1986

Docket No. 070-02924  
Inquiry No. 86-01

License No. SNM-1870  
Expiration Date: February 28, 1985

Trenton State College  
ATTN: Dr. Anthony F. Eble  
Dept. of Biology CN 550  
Trenton, New Jersey 08625

Gentlemen:

Subject: NOTICE OF VIOLATION

This refers to the telephone discussion between Steven Courtemanche of this office and yourself on January 13, 1986. 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 70.33 of Title 10, Code of Federal Regulations, Part 70.

From this discussion we learned that you still possess material which required a specific NRC license. Your possession of that material without a valid, specific license is a violation of Section 70.3 of 10 CFR Part 70. Section 70.3 states:

"No person subject to the regulations in this part shall receive title to, own, acquire, deliver, receive, possess, use, or transfer special nuclear material, except as authorized in a license issued by the Commission pursuant to these regulations.

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 a written reply to this Notice explaining the steps you have taken to correct this situation. The corrective actions you take must include the following:

1. Divest yourself of the material immediately in a lawful manner and prepare a statement which explains the method of disposal of the materials, including: what material was involved, how it was disposed of or to whom it was shipped, and when this was done.
2. If the activities conducted under the expired license were subject to the reporting requirements of 10 CFR Part 20, Section 20.407, you must submit the annual report required by 20.407 for the current calendar year and a termination report required by Section 20.408 for individuals engaged in activities under the expired license. Those reports must be shipped to the Director of Management and Program Analysis, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555.

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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 Section A, 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:**

**Francis M. Costello**

John D. Kinneman, Chief  
Nuclear Materials Safety Section A  
Division of Radiation Safety  
and Safeguards

Enclosure: NRC Form 314

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

bcc:  
Region I Docket Room (w/concurrences)  
Steven Courtemanche

*FMC*  
RI:DRSS  
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