

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
The Academy of Natural Science	)	Byproduct Material
of Philadelphia	)	
Nineteenth Street and the Parkway	)	License 37-13586-02
Philadelphia, Pennsylvania 19103	)	

ORDER TO SHOW CAUSE

I

The Academy of Natural Science of Philadelphia, Nineteenth Street and the Parkway, Philadelphia, Pennsylvania 19103 ("the licensee") is the holder of Byproduct Material License 37-13586-02 ("the license"), issued by the Nuclear Regulatory Commission ("the Commission"). The license authorizes the possession and use of byproduct material under certain conditions specified therein. This license was originally issued on June 9, 1980. The present expiration date of the license is May 31, 1985. However, by application dated April 29, 1985, the licensee requested renewal of License 37-13586-02, and the license has not expired.

II

On July 6, 1984, the licensee's activities authorized by License 37-13586-02 and located at Nineteenth Street and the Parkway, Philadelphia, Pennsylvania, were inspected by a representative(s) of the NRC Region I Office for health and safety purposes. On March 21, 1985, the Commission sent Invoice 0330V to the licensee requesting payment within 30 days of the inspection fee of \$370 required by 10 CFR 170 of the Commission's regulations. A second notice of payment due, together with a Notice of Violation, was sent to the licensee on May 1, 1985. A final notice of payment due was sent to the licensee on June 13, 1985. To date the fee required by Part 170 has not been paid by the licensee.

III

In view of the foregoing and pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in 10 CFR Parts 2, 30 and 170, IT IS HEREBY ORDERED THAT:

1. The licensee show cause, in the manner hereinafter provided, why License 37-13586-02 should not be revoked permanently.

The licensee may, within twenty days of the date of receipt of this Order, file a written answer to this Order and may also request a hearing within said twenty-day period. Any answer filed shall specifically admit or deny such allegation made in Section II above, and may set forth the matters of fact and law upon which the licensee relies. If a hearing is requested, the Commission will issue an Order designating the time and place of hearing. Upon failure of the licensee to file an answer within the time specified, the Director of Administration or the undersigned will, without further notice, issue an Order revoking License 37-13586-02.

In the event the licensee files a timely answer and requests a hearing within the time specified, the issues to be considered at such hearing shall be (1) whether the licensee violated the Commission's regulations as specified in Section II above; and (2) whether the subject license should be permanently revoked.

In lieu of filing an answer to this Order, the licensee may pay the prescribed inspection fee within twenty days of the date of receipt of this Order. In the event the licensee remits the required fee within said twenty-day period, the Nuclear Regulatory Commission will issue an Order terminating this proceeding. Otherwise, the foregoing procedure for revocation of the license shall be followed.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by  
Wm. O. Miller

William O. Miller, Director  
License Fee Management Staff  
Office of Administration

Dated at Bethesda, Maryland  
this 25 day of October, 1985

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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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10 / <i>10</i> /85	10/15/85	10/16/85	10/17/85	10/21/85