



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
1600 EAST LAMAR BOULEVARD  
ARLINGTON, TEXAS 76011-4511

October 27, 2022

EA-22-028

John Miller  
Radiation Safety Officer  
International Isotopes, Inc.  
4137 Commerce Circle  
Idaho Falls, Idaho 83401

SUBJECT: INTERNATIONAL ISOTOPES, INC. – NRC INSPECTION REPORT  
030-35486/2022-001, DISPUTED CITED VIOLATION UPHeld

Dear John Miller:

On May 26, 2022, the U.S. Nuclear Regulatory Commission (NRC) issued Inspection Report 030-35486/2022-001 and Notice of Violation (Notice) to International Isotopes, Inc., Agencywide Documents Access and Management System (ADAMS) Accession No. ML22146A362. The nonpublicly available Notice and security inspection report documented three Severity Level IV violations associated with security requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37.

In a letter dated July 6, 2022 (not publicly available), you provided a written response in which you disputed violation 030-35486/2022-001-04. On July 19, 2022 (ML22200A310), the NRC acknowledged receipt of your letter.

The NRC conducted a detailed review of your July 6, 2022, letter and examined circumstances and applicable regulatory requirements in accordance with Part I, Section 2.8 of the NRC Enforcement Manual. This review included staff who were not involved in the original inspection effort and included a Senior Health Physicist from the Division of Radiological Safety and Security in Region III. The details of the NRC's evaluation are contained in the enclosure.

After consideration of the bases for your dispute of the violation, the NRC has concluded that the inspection report and Notice correctly characterize the violation. As such, the NRC is upholding the violation as written in the Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

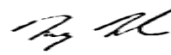
The enclosure contains Sensitive  
Unclassified Non-Safeguards Information.  
When separated from the enclosure, this  
cover letter is decontrolled.

J. Miller

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However, the material enclosed herewith contains Security-Related Information and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, in accordance with 10 CFR 2.390(d)(1), the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If Security Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,



Signed by Muessle, Mary  
on 10/27/22

Mary C. Muessle, Director  
Division of Radiological Safety and Security

Docket No. 030-35486  
License No. 11-27680-01MD

Enclosure:  
NRC Evaluation of Licensee Response  
to a Notice of Violation (nonpublic)

cc w/encl.:  
Mr. Mark Dietrich  
Emergency Response Coordinator  
Idaho Department of Environmental Quality  
1410 N Hilton St  
Boise, Idaho 83706

J. Miller

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INTERNATIONAL ISOTOPES, INC. – NRC INSPECTION REPORT 030-35486/2022-001,  
DISPUTED CITED VIOLATION UPHELD – DATED OCTOBER 27, 2022

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Document: [https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES S Drive/ENFORCEMENT/\\_EA CASES - OPEN/INIS EA-22-028 Part 37/Disputed/Disputed Response EA-22-028 INIS Part 37 10.20.22.docx](https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES%20S%20Drive/ENFORCEMENT/_EA%20CASES%20-%20OPEN/INIS%20EA-22-028%20Part%2037/Disputed/Disputed%20Response%20EA-22-028%20INIS%20Part%2037%2010.20.22.docx)

ADAMS ACCESSION NUMBER – PUBLIC: LETTER W/O ENCLOSURE: <b>ML22294A141</b>						
<b>Public: Cover Letter (w/o Enclosure)</b> SUNSI Review by: ACR	ADAMS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive	Keyword: NRC-002		
ADAMS ACCESSION NUMBER – NON-PUBLIC: LETTER AND ENCLOSURE: <b>ML22300A185</b>						
<b>Non-Public: Cover Letter &amp; Enclosure</b> SUNSI Review by: ACR	ADAMS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Publicly Available <input checked="" type="checkbox"/> Non-Publicly Available	<input type="checkbox"/> Non-Sensitive <input checked="" type="checkbox"/> Sensitive	Keyword: MD 3.4, A.3		
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DATE	09/29/22	10/03/22	10/03/22	10/03/22	10/20/22	10/27/22

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