

DL-061198-01



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23185
ATLANTA GEORGIA 30303 3415

June 11, 1998

*See attached
NRC Form 314*

Howard Duke, D.P.M.
Lee Medical Building, Suite 106
1805 Monument Avenue
Richmond, VA 23220

SUBJECT: NRC INSPECTION REPORT NO. 45-23024-01/98-01

Dear Dr. Duke:

Thank you for your supplemental response of June 4, 1998, to our Notice of Violation (Notice), issued on January 30, 1998, and our letter dated April 20, 1998, concerning activities conducted under NRC License No. 45-23024-01. We have evaluated your response and found that it meets the requirements of 10 CFR 2.201.

We will terminate your license when we receive a completed copy of NRC Form 314, "Certificate of Disposition of Materials" and the last leak test results.

We appreciate your cooperation in this matter. If you have any questions regarding this letter, please contact me at (404) 562-4721.

Sincerely,

Thomas R. Decker
Thomas R. Decker, Chief
Materials Licensing/Inspection Branch 1
Division of Nuclear Materials Safety

Docket No. 030-20186
License No. 45-23024-01

cc: Commonwealth of Virginia

(FOR LFMS USE)
INFORMATION FROM LTS

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

Program Code: 02201
Status Code: 0
Fee Category: 7C
Exp. Date: 20040731
Fee Comments:

Decom Fin Assur Req'd: N

LICENSE FEE TRANSMITTAL

A. REGION II

1. APPLICATION ATTACHED

Applicant/Licensee: DUKE, HOWARD, D.P.M.
Received Date: 980608
Docket No: 3020186
Control No.: 257980
License No.: 45-23024-01
Action Type: Termination

2. FEE ATTACHED

Amount: NONE
Check No.: _____

3. COMMENTS

Signed DIANE HEIM
Date 6/19/98

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered)

1. Fee Category and Amount: 7C

FEE EXEMPT

2. Correct Fee Paid: Application may be processed for: term
Amendment _____
Renewal _____
License _____

3. OTHER _____

Signed *City Manager*
Date 6/23/98

RECEIVED BY LFMS	
Date	<u>6/23/98</u>
Log	<u>Jan 4 II</u>
By	<u>RM</u>
Date Completed	<u>6/23/98</u>



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
ATLANTA FIELD OFFICE
51 FORSYTH STREET, S.W. SUITE 2318E
ATLANTA, GEORGIA 30303-3415

TELEFAX

To: _____ License No. _____
Company _____ Title _____
Fax No. (____) _____ - _____

FROM: _____
Nuclear Materials Licensing/Inspection Branch _____
Division of Nuclear Materials Safety
Fax No. (404) 562-4955 Voice (404) 562-4723 _____
Date _____

**SUBJECT: YOUR REQUEST FOR TRANSFER OR TERMINATION OF NRC
LICENSE**

Please provide the following information, in addition to the NRC Form 314
(Certificate of Disposition of Materials):

All records considered important to the safe and effective decommissioning of the
facility, in accordance with 10 CFR 30.35(g), 40.36(f), §70.25(g) and §72.30(d);
and all records concerning public dose and waste disposal, have been transferred
to:

1. Name Lixi, Inc (Successor)
License No. _____
Address 1438 Brook Drive
City Downers Grove State IL
Phone (630) 626-4646 Fax No. (630) 626-7776

OR

2. US NRC Region II, Nuclear Materials Licensing Inspection Branch,
Division of Nuclear Materials Safety

OR

3. There is no residual contamination of the facility or environs from licensed
materials.
Signature Howard E. Duke

Printed Name and Title Howard E. Duke

G:\DNMS\FORMS\Term.fax _____ Date _____

CERTIFICATE OF DISPOSITION OF MATERIALS

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUIREMENT: 30 MIN. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (M88-114) U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20545 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0028) OFFICE OF MANAGEMENT AND BUDGET WASHINGTON, DC 20503

INSTRUCTIONS: SEND THE COMPLETED CERTIFICATE TO THE NRC OFFICE SPECIFIED ON THE REVERSE

(All items MUST be completed print or type)

LICENSEE NAME AND ADDRESS

Dr Howard F Duke
1805 Monument Ave
Suite 106
Richmond, VA 23220

LICENSE NUMBER

4523024-C1

LICENSE EXPIRATION DATE

July 31, 1999

THE LICENSEE OR ANY INDIVIDUAL EXECUTING THIS CERTIFICATE ON BEHALF OF THE LICENSEE CERTIFIES THAT
(Check and/or complete the appropriate item(s) below)

A. MATERIALS DATA (Check one and complete as necessary)

1. NO MATERIALS HAVE EVER BEEN PROCURED OR POSSESSED BY THE LICENSEE UNDER THIS LICENSE

OR

2. ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSEE UNDER THE LICENSE NUMBER CITED ABOVE HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER (If additional space is needed, use the reverse side or provide attachments)

Describe specific material transfer actions and, if there were radioactive wastes generated in terminating this license, the disposal actions including the disposition of low level radioactive waste, mixed waste, Greater than Class C waste, and sealed sources, if applicable.

For transfers, specify the date of the transfer, the name of the licensed recipient, and the recipient's NRC license number or Agreement State name and license number.

If materials were disposed of directly by the licensee rather than transferred to another licensee, licensed disposal site or waste contractor, describe the specific disposal procedures (e.g., decay in storage).

I 125 isotope was returned to the manufacturer, Inc in Downers Grove, IL 7/31/98
Leak test was performed before shipping 7/16/98

B. OTHER DATA

1. OUR LICENSE HAS NOT YET EXPIRED PLEASE TERMINATE IT

2. WAS A RADIATION SURVEY CONDUCTED TO CONFIRM THE ABSENCE OF LICENSED RADIOACTIVE MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE (Check one)

NO (Attach explanation)

YES, THE RESULTS (Check one)

ARE ATTACHED OR

WERE FORWARDED TO NRC ON (Date)

3. THE PERSON TO BE CONTACTED REGARDING THE INFORMATION PROVIDED ON THIS FORM

NAME

Howard F. Duke

TELEPHONE NUMBER

(804) 358-9031

4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO

Same as above

CERTIFYING OFFICIAL

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

SIGNATURE

Howard F. Duke

5/20/98

PRINTED NAME AND TITLE

Dr. Howard F. Duke

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 18 U.S.C. SECTION 1001 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

FILE CERTIFICATES AS FOLLOWS

IF YOU ARE A DISTRIBUTOR OF EXEMPT PRODUCTS SEND TO

**U.S. NUCLEAR REGULATORY COMMISSION
DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY NMES
WASHINGTON, DC 20545**

ALL OTHERS, IF YOU ARE LOCATED IN

**CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND,
MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA,
RHODE ISLAND, OR VERMONT, SEND TO**

**U.S. NUCLEAR REGULATORY COMMISSION REGION I
NUCLEAR MATERIALS SAFETY SECTION B
675 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406**

**ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA,
PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR
WEST VIRGINIA, SEND TO**

**U.S. NUCLEAR REGULATORY COMMISSION REGION II
NUCLEAR MATERIALS SAFETY SECTION
101 MARIETTA STREET SUITE 2800
ATLANTA GA 30373**

IF YOU ARE LOCATED IN

**ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO OR
WISCONSIN, SEND TO**

**U.S. NUCLEAR REGULATORY COMMISSION REGION III
MATERIALS LICENSING SECTION
788 ROOSEVELT ROAD
GLEN ELLYN, IL 60137**

**ARKANSAS, COLORADO, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA,
NEW MEXICO, NORTH DAKOTA, OKLAHOMA, SOUTH DAKOTA, TEXAS, UTAH,
OR WYOMING, SEND TO**

**U.S. NUCLEAR REGULATORY COMMISSION REGION IV
MATERIAL RADIATION PROTECTION SECTION
611 RYAN PLAZA DRIVE SUITE 1000
ARLINGTON TX 76011**

**ALASKA, ARIZONA, CALIFORNIA, HAWAII, NEVADA, OREGON, WASHINGTON,
AND U.S. TERRITORIES AND POSSESSIONS IN THE PACIFIC, SEND TO**

**U.S. NUCLEAR REGULATORY COMMISSION REGION V
NUCLEAR MATERIALS SAFETY SECTION
1450 MARIA LANE SUITE 210
WALNUT CREEK CA 94596**

V-585 906 205



Receipt for Insured Mail

(Domestic or International)

Sent To LIXI INC.

Street & No. 1438 BRIDGE

PO, State, & ZIP Code 60515
DOWERS GROVE IL

Postage Air mail \$ 300

Insurance Coverage 1500 Fee 420

Special Handling

Domestic Only Special Delivery

Restricted Delivery

Return Receipt (Except Garbage)

Fragile Liquid Perishable

Postmark PS-23 Postmaster (by) [Signature]

Total \$ 1120

If Your Article is Lost or Damaged, See Instructions on the Reverse. SAVE THIS RECEIPT UNTIL ARTICLE IS ACCOUNTED FOR

PS Form 3813-P, September 1981

**** POST OFFICE BOX ****
CHESTERFIELD VA 22832
31474 37.00
4000 5.00
1000 2.00

189 (1981) 100 100

1000 2.00

1000 2.00

1000 2.00

1000 2.00

STAN A. HUBER CONSULTANTS, INC.

200 NORTH CEDAR ROAD -- NEW LENOX IL 60451-1751 -- PHONE 815-485-6161

SEALED GAMMA/BETA SOURCES - LEAK TEST CERTIFICATE
For SURFACE and AIRBORNE Radiocontaminants

REPORT DATE 07/27/98
FACILITY Dr. Howard F. Duke, PC
Richmond VA
NRC LICENSE NUMBER 45-2302401
STATE LICENSE NUMBER

SOURCE IDENTIFICATION

RADIONUCLIDE I-125
ACTIVITY 500 mCi
CALIBR DATE 02/16/97
MANUFACTURER Nordion
MODEL NUMBER LSM 80X
SERIAL NUMBER H248
OTHER DESCRIPTION

ASSAY RESULTS COUNTING EFFICIENCY 0.838
BACKGROUND AT TIME OF ASSAY 62

	MAX CPM	NET CPM	DPM	ACTIVITY μ CI
WET WIPE	71	9	11	0.000005
DRY WIPE	65	3	4	0.000002
AIR TEST (CHARCOAL)	75	13	16	0.000007

ANALYSIS PERFORMED USING

Packard Auto-Gamma Scintillation Spectrometer Model #D5003 Serial #406282 AND/OR
Packard 1900CA Tri-Carb Liquid Scintillation Analyzer Model #A1900 Serial #101464

ANALYSIS OF RESULTS

Sources are not leaking at this time
Removable contamination is less than 5E-3 μ CI (0.05)
Removable AIRBORNE contamination is less than 5E-2 μ CI (0.05)

NEXT LEAK TEST DUE January 1999 (Discontinuing use of isotope)

LEAK TEST PERFORMED BY Bea West DATE 07/27/98

ANALYSIS PERFORMED BY S.A. HUBER *JMA/ma* DATE 07/27/98

RADIATION SAFETY OFFICER SIGNATURE _____