

Appendix A

NOTICE OF VIOLATION

The Rupp & Bowman Company

License No. 21-15297-01  
License No. 21-15297-02E

As a result of the inspection conducted on January 16, 1981, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations 2 and 3 against License No. 21-15297-01 were identified:

1. 10 CFR 30.3 states no person shall transfer byproduct material except as authorized in a specific or general license.

Contrary to this requirement, exempt quantities of carbon-14 were distributed on more than 22 occasions from August 1, 1978, to January 16, 1981, without a specific license.

This is a Severity Level V violation (Supplement VII).

2. 10 CFR 30.41(b)(5), "Transfer of byproduct material," requires that byproduct material be transferred to a person authorized to receive such material under the terms of a specific license. 10 CFR 30.41(c) requires that, before transferring byproduct material to a specific licensee, the licensee transferring the material shall verify that the transferee's license authorizes the receipt of the byproduct material. 10 CFR 30.41(d) specifies acceptable methods for such verification.

Contrary to these requirements, on at least 18 occasions from January 18, 1980, to June 27, 1980, greater than ten times the exempt quantity of carbon-14 was transferred to a transferee that your records showed had an expired license. On four other occasions from July 19, 1979, to March 27, 1980, carbon-14 was sent to a transferee without verification that they were authorized to receive it.

This is a Severity Level V violation (Supplement VII).

3. Condition No. 14 of your license requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

The referenced application dated September 12, 1977, states, in item 11, calibration of the radiation survey meter will be done quarterly.

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Contrary to the above, the Victoreen Thyac III has not been calibrated since May 10, 1978.

This is a Severity Level V violation (Supplement VII).

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within twenty-five days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Under the authority of Section 182 of the Atomic Energy Act of 1954, as amended, this response shall be submitted under oath or affirmation.

Dated 1/29/81

*W. L. Fisher*  
W. L. Fisher, Acting Chief  
Fuel Facility and Materials  
Safety Branch