

APPENDIX  
NOTICE OF VIOLATION

Department of the Interior  
Bureau of Land Management  
Cheyenne, Wyoming

Docket: 30-20904/89-01  
License: 49-23316-01

During an NRC inspection conducted on October 25 and 27, 1989, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy), the violations are listed below:

1. License Condition 13 requires, in part, that each sealed source containing licensed material shall be tested for leakage and/or contamination at intervals not to exceed 6 months.

Contrary to the above, sealed sources containing 10 millicuries of americium-241 and 50 millicuries of cesium-137 and installed in a Model 3411B Troxler Gauge with Serial No. 10643 were not leak tested during the interval from February 1985 to October 1989. Similar sources in a Model 3411B Troxler Gauge with Serial No. 8772 were not leak tested on three required occasions from July 1986 to March 1989.

This is a repeat violation.

This is a Severity Level IV violation. (Supplement VI)

2. 10 CFR 71.5(a) requires that licensees who transport licensed material outside the confines of their plants or deliver licensed material to a carrier for transport comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Part 170-189.

49 CFR 172.200(a) requires, in part, that each person who offers a hazardous material for transportation shall describe the hazardous material on the shipping paper in the manner required by Subpart C of Part 172.

Contrary to the above, shipping papers had not been provided for Troxler Gauges Model 3411B, Serial Nos. 10643 and 8772 containing Type A quantities of radioactive material transported on public highways in the state of Wyoming during the period February 21, 1985, to October 27, 1989.

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

3. 10 CFR 20.401(a) requires that each licensee maintain records showing radiation exposures on Form NRC-5, in accordance with the instructions contained on that form, or keep clear and legible records containing all the information required by Form NRC-5.

Contrary to the above, as of October 27, 1989, exposure records containing the required information were not maintained. Specifically, the licensee had not maintained personnel dosimetry records for 1985, 1986, January through May and August 1987, June through August 1988, and January through June 1989.

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

4. License Condition 15 requires the licensee to conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.

Contrary to the above, the licensee did not maintain the physical inventory records for the period 2 years prior to October 27, 1989.

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

Pursuant to the provisions of 10 CFR 2.201, Department of the Interior, Bureau of Land Management, Cheyenne, Wyoming, is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,  
this 17th day of November 1989