

APPENDIX

NOTICE OF VIOLATION

Phillips Petroleum Company
Corporate Engineering and Services
Materials Quality Control Group
Bartlesville, Oklahoma

Docket: 30-19220/89-01

License: 35-00313-14

During an NRC inspection conducted on November 3, 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 12.A and C require, in part, that sealed sources shall be tested for leakage at intervals not to exceed 6 months and that records of leak test results shall be maintained for inspection by the Commission.

Contrary to the above, during an inspection conducted on November 3, 1989, the licensee did not have records of leak tests performed on a 30-millicurie plutonium-238 sealed source (Amersham Model PPC, Serial No. B350) for the period from the date of the previous inspection in April 1983 until February 1986, when the source was placed in storage. Additionally, the licensee had used the source during this period and could not confirm that the required leak tests had been performed.

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

2. 10 CFR 30.41(c) requires that, prior to transferring licensed material, each licensee verify that the transferee's license authorizes the receipt of the type, form, and quantity of byproduct material to be transferred. 10 CFR 30.41(d) specifies the requirements for verifying authorization.

Contrary to the above, on February 6, 1986, a 30-millicurie plutonium-238 sealed source (Amersham Model PPC, Serial No. B350) had been transferred to Phillips Petroleum Company Research Center, NRC License 35-00313-03, without using one of the verification procedures. The transferee was not authorized for possession of the subject material.

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

3. 10 CFR 30.51(a) requires that each licensee keep records showing the receipt, transfer, export, and disposal of licensed material.

Contrary to the above, as of the date of this inspection, a record documenting the receipt of a Texas Nuclear Model 9256 analyzer containing a 30-millicurie plutonium-238 sealed source and a 0.5-microcurie americium-241 source had not been maintained. Additionally, a record of the transfer of these sources on February 6, 1986, had not been made.

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

4. 10 CFR 19.11 requires, in part, that each licensee shall post current copies of the following documents: (1) 10 CFR Parts 19 and 20; (2) the license, license conditions, and documents incorporated into the license by reference; (3) the operating procedures, and (4) Form NRC-3. Alternatively, if the posting of any of the aforementioned documents is not practicable, the licensee may post a notice indicating where these documents may be examined.

Contrary to the above, during an inspection conducted on November 3, 1989, the inspector observed that the licensee had failed to maintain or post a Form NRC-3, the license and documents incorporated by reference, operating procedures, and applicable regulations.

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

Pursuant to the provisions of 10 CFR 2.201, Phillips Petroleum Company, Corporate Engineering & Services 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 27th day of November 1989

CERTIFICATE OF DISPOSITION OF MATERIALS

(All items MUST be completed, please print)

LICENSEE NAME AND ADDRESS	LICENSE NUMBER
	LICENSE EXPIRATION DATE

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 POSSESSED OR PROCURED 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 TRANSFERRED ON

DATE	TO	WHICH HAS NRC LICENSE NUMBER

OR

3. ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSEE UNDER THE LICENSE NUMBER CITED ABOVE HAVE BEEN TRANSFERRED ON

DATE	TO	WHICH HAS LICENSE NUMBER	ISSUED BY THE STATE OF

OR

4. MATERIALS HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER. (Describe specific disposal procedures--if additional space is needed, use the reverse of this form, or provide attachments)

AN AGREEMENT STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1964, AS AMENDED, AND THE ENERGY REORGANIZATION ACT OF 1974.

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

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	TELEPHONE NUMBER

4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO

RETURN TO: U.S. Nuclear Regulatory Commission Region IV 611 Ryan Plaza Drive, Suite 1000 Arlington, TX 76011 ATTN: DRSS	CERTIFYING OFFICIAL	
	SIGNATURE	DATE
	PRINTED NAME AND TITLE	