

APPENDIX

NOTICE OF VIOLATION

Phillips Petroleum Company
Phillips Research Center
Bartlesville, Oklahoma

Docket: 30-05897/89-01
License: 35-00313-03

During an NRC inspection conducted on November 2 and 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 7.B. authorizes the possession of sealed sources. License Condition 6.B. authorizes the possession of such sources containing any byproduct material with Atomic Numbers 4 through 83.

Contrary to the above, on February 6, 1986, the licensee had received a 30-millicurie plutonium-238 sealed source (Amersham Model PPC, Serial No. B350), a material they were not authorized to possess. The source was transferred from another license held by Phillips Petroleum Company in Bartlesville, Oklahoma. The source was still in the licensee's possession during an inspection conducted on November 2 and 3, 1989.

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

2. License Condition 17 requires that licensed material shall be possessed and used in accordance with statements, representations, and procedures contained in an application dated September 4, 1987, and letter dated October 24, 1987. Portions of these documents describe the licensee's training program, internal audit program, and survey instrument calibration standards.

- a. Item 6 of the application describes the institutional training program. Specifically, this includes general instruction to personnel biannually including interaction of radiation, ALARA, biological effects of radiation, safety measures, waste management, personnel monitoring, record keeping, NRC regulations, and updates.

Contrary to the above, during the period from October 1987 through October 1989, the licensee had conducted only one training session, on October 28, 1988, and had not met the required biannual interval.

- b. Item 20 of the application specifies that the RSO will conduct semiannual audits of each authorized user in the program. These audits are to include posting of required signs and notices; waste disposal containers; use of gloves; storage area; receipt, utilization and disposal records; inventory; and surveys.

Contrary to the above, the inspector determined that the licensee had conducted one such audit in December 1988, but had not performed program audits at the required semiannual intervals during the period from October 1987 through October 1989.

- c. Item 12 of the application specifies that survey instruments will be calibrated annually and following repair. This item further specifies that instruments will be considered properly calibrated when readings are within 10 percent of the known value for each point checked. Instruments reading within 20 percent may be used only if accompanied by a calibration chart attached to the instrument.

Contrary to the above, the inspector determined that the licensee's 13 survey instruments had been calibrated in December 1987 and not again until March or April 1989, a period exceeding the required annual interval. Additionally, two of these instruments were 25-30 percent off the acceptable calibration reading and one instrument was 40-50 percent off the acceptable value. The licensee had used these instruments during this period to perform routine radiation surveys.

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

- 3. License Condition 17 requires that licensed materials shall be possessed and used in accordance with statements, representations, and procedures contained in an application dated September 4, 1987, and letter dated October 24, 1987. Sections of these documents describe the licensee's waste management program including waste storage area and required radiation surveys and records.

- a. Item 8 of the application specifies that all radioactive waste material will be held for decay or storage in an area identified as Building 88-H.

Contrary to the above, during October 1989 the licensee had moved the radioactive waste storage area from the designated location at Building 88-H to Building 85-E.

- b. Item 14 of the application specifies that radiation surveys will be routinely performed and that records of survey date, location, and surveyors will be maintained. Item 15 of the application specifies that surveys of the waste storage area will be performed monthly.

Contrary to the above, the inspector determined that surveys of the licensee's waste storage area had been conducted at the required monthly interval but that records of such surveys had not been maintained as required.

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

Pursuant to the provisions of 10 CFR 2.201, Phillips Petroleum Company 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 6th day of December 1989