

NOTICE OF VIOLATION

Waters and Associates
Sikeston, Missouri

License No. 24-20113-01

As a result of the inspection conducted on November 22 and 28, 1989, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1989) (Enforcement Policy) the following violations were identified:

1. License Condition Nr 18 requires that the licensee shall conduct its program in accordance with the statements, representations and procedures contained in certain referenced documents.

Referenced application dated January 23, 1981, states that the permanent storage location for the nuclear gauge will be 822 South Main Street, Sikeston, Missouri.

Contrary to the above, since approximately July 1, 1989, the licensee's permanent storage location for the nuclear gauge has not been 822 South Main Street. Specifically, since that time the licensee's permanent storage location for their nuclear gauge has been at 908 South King's Highway, Sikeston, Missouri.

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

2. License Condition 12(A)(1) requires that sources shall be tested for leakage and/or contamination at intervals not to exceed six months.

Contrary to the above, from July 20, 1987 through June 29, 1989, the licensee failed to leak test their sealed source contained in a Campbell-Pacific moisture/density gauge at intervals not to exceed six months. Specifically, during that time no leak tests were performed.

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

3. License Condition No. 15 states that the licensee shall conduct a physical inventory every six months to account for all sources and/or devices received and possessed under the license.

Contrary to the above, the licensee failed to conduct a physical inventory of their nuclear gauge from July 20, 1987 to June 29, 1989.

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

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Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

December 7, 1989
Dated

Roy J. Caniano
Roy J. Caniano, Chief
Nuclear Materials Safety
Section 2