

NOTICE OF VIOLATION

Bran-Shon, Inc.
Deerfield, Ohio

License No. 34-25850-01

As a result of the inspection conducted on November 6, 1989, and in accordance with the "General Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the following violations were identified:

1. License Condition No. 19 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in an application dated October 20, 1987.

Item 10 describes the Internal Inspection Program outlined in Part V of the Radiation Safety Manual submitted with the application. Section 3.2 of Part V requires that each radiographer, and each radiographer's assistant be audited and inspected at intervals not to exceed three (3) months.

Contrary to the above, the licensee failed to audit and inspect a radiographer's assistant during the period from July 17, 1988 to November 30, 1988, a period exceeding three (3) months.

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

2. 10 CFR 34.26 requires that a quarterly inventory be conducted to account for all sealed sources, and the records of the inventories shall include the quantities and kind of byproduct material, location of sealed sources and the date of the inventory.

Contrary to the above, the licensee failed to record the location of a nominal 100 curie cobalt-60 sealed source and a nominal 100 curie iridium-192 sealed source on the quarterly inventory conducted on September 1, 1988 and recorded the wrong location of three sealed sources on the quarterly inventory conducted June 1, 1989.

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

3. 10 CFR 34.25(b)(c) requires that each sealed source be tested for leakage at intervals not to exceed six months and records of leak test results shall be maintained for inspection by the Commission for three years after it is made. Contrary to the above, the licensee failed to maintain a record of the results of a leak test performed on April 6, 1989.

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

4. 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 172.202(a)(1)(3) requires that each description of a hazardous material in a shipping paper include the proper shipping name prescribed for the material by §172.101 or §172.102, and the identification number prescribed for the material in the same section. §172.203(d) requires that each shipping paper describing radioactive material include the name of the nuclide, the activity in terms of curies or millicuries, the category of label applied to each package, the transport index assigned to each package and the type of container used to transport the radioactive material.

Contrary to the above, the licensee transported radioactive material to various job sites in the State of Ohio on numerous occasions during the period from May 18, 1989 to October 11, 1989 with shipping papers that failed to include the identification No. UN2974 and during the period from May 27, 1989 to November 3, 1989 with shipping papers that failed to include "Type B Container" as part of that document. In addition, a shipping paper submitted to a Common Carrier on May 18, 1989 by the licensee failed to include the complete shipping name (Radioactive Material Special Form, NOS) the name of the isotope, the activity in curies, the transport index assigned to the package nor the notation "Type B Container."

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

With respect to Item 3, the inspection showed that actions had been taken to correct the identified violation and to prevent recurrence. Consequently, no reply to the violation is required and we have no further questions regarding this matter. With respect to Items 1, 2, and 4, 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 actions that have been taken and the results achieved; (2) the corrective actions 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.

12/8/89
Dated

D. J. Speniewski
D. J. Speniewski, Chief
Nuclear Materials Safety Section 2