

APPENDIX A
NOTICE OF VIOLATION

DOW Chemical U.S.A.
Gales Ferry, Connecticut 06335

Docket No. 030-12722
License No. 06-15498-02

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

Condition 15 of License No. 06-15498-02 requires that installation, initial radiation survey, relocation, removal from service, maintenance, and repair of devices containing sealed sources shall be performed by Francis D. Biehl or James R. Hendershot or by persons specifically licensed by the Commission or an Agreement State to perform such services. Installation, replacement, and disposal of sealed sources shall be performed only by persons specifically licensed by the Commission or an Agreement State to perform such services.

Contrary to the above, in October, 1989, an Ohmart gauge containing 500 millicuries of cesium-137 was removed from service and relocated to a storage area by persons not specifically licensed for the activity.

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

Pursuant to the provisions of 10 CFR 2.201, DOW Chemical U.S.A. is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.

OFFICIAL RECORD COPY

ML DL DOW - 0003.0.0
12/19/89

9001190289 891229
REG1 LIC30
06-15498-02 FDC

RETURN ORIGINAL TO
REGION I

1E:07