

NOTICE OF VIOLATION

Elkem Metals Company
Alloy, West Virginia

Docket No. 030-19240
License No. 47-19784-01

During an NRC inspection conducted on February 1, 1991 violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Action," 10 CFR Part 2, Appendix C (1991), the violations are listed below:

- A. Condition 14 of License No. 47-19784-01 requires a physical inventory every 6 months to account for all sources received and/or possessed under the license.

Contrary to the above, as of February 1, 1991, no physical inventory had been conducted to account for all sources received and/or possessed under the license since July 1989, a period of more than 6 months.

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

- B. Condition 15 of License No. 47-19784-01 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in an application dated May 27, 1986.

1. Item 9.C. General Maintenance of Gauges states that every 6 months the gauges are checked for proper shutter operation.

Contrary to the above, the licensee representative stated that no test of gauge shutters for proper operation has been conducted every six months since 1986.

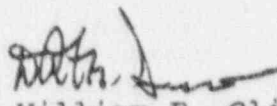
2. Item 10.A. Radiation Surveys states in paragraph 1. that each radioactive source will be surveyed annually to determine the actual radiation field surrounding the source vessel, pipe, etc. to which the source is attached. Paragraph 5. states, in part that a calibrated, operable radiation survey meter will be available, and that the survey meter shall be calibrated annually.

Contrary to the above, no survey had been done annually of each installed radiation source since 1986, nor had the radiation survey meter available at the facility been calibrated since 1986, a period of more than 1 year.

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

Pursuant to the provisions of 10 CFR 2.201, Elkem Metals Company is hereby required to submit a written statement or explanation to the U S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region II, and if applicable, a copy to the NRC Resident Inspector, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why this license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

FOR THE NUCLEAR REGULATORY COMMISSION


William E. Cline, Chief
Nuclear Materials Safety
and Safeguards Branch
Division of Radiation Safety
and Safeguards

Dated at Atlanta, Georgia
this 20th day of February 1991