



City of Harrisburg
Pennsylvania 17101

BUREAU OF SEWERAGE

Department of Public Works

Telephone
(717) 255-6524

Room 403
423 Walnut Street
Harrisburg, Pennsylvania
17101

December 9, 1981

Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, PA 19406

CERTIFIED MAIL
Return Receipt Requested

Attn: Mr. John D. Kinneman

Re: Docket No. 30 - 8992
Inquire No. 81-01
Notice of Violation

Dear Sir:

The City of Harrisburg, Department of Public Works, Bureau of Sewerage requests that license No. 37-06587-02 be terminated. The material in question was packaged and returned under the direction of the Ohmart Corporation for their disposal in February 1978. The attached correspondence documents the shipment of this material to Ohmart and earlier letters informing the NRC as to the license status. Please correct your records accordingly as to the conditions leading to issuance of the Notice of Violation

However, Ohmart does hold the general licenses required on the new density gauges per the attached list.

PC/JFW/jrw

Very truly yours,
Paul Cygan
Paul Cygan, Chief
CITY OF HARRISBURG
Bureau of Sewerage

Attachment:

8201070198 811230
NMS LIC30
37-06587-02 PDR

- 1.) Raw Sludge
SO 9030099
Model SR-1
Isotope CS-137 MCI 750
Ser. 66109 November 1979

- 2.) Thickeners
SO 7030006-A
Model ED-6
Isotope CS-137
MCI 500
Ser. 63999 June 1977

- 3.) Thickeners
SO 7030006-B
Model ED-6
Isotope CS-137
Ser. 64000 July 1977

- 4.) Return Sludge
SO 8031007
Model ED-6
Isotope CS-137
Ser. 66577 January 1978



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
631 PARK AVENUE
KING OF PRUSSIA, PENNSYLVANIA 19406

30 OCT 1981

Docket No. 30-8992
Inquiry No. 81-01

City of Harrisburg
Department of Public Works
ATTN: Mr. Paul Cygon
Bureau Chief
Sewage Treatment Plant
423 Walnut Street
Room 403 Municipal Building
Harrisburg, Pennsylvania 17101

License No. 37-06587-02
Expiration Date: October 31, 1977

Gentlemen:

SUBJECT: NOTICE OF VIOLATION

This refers to the telephone discussion between Mr. J. Davis of this office and Mr. P. Cygon of your staff on October 7, 1981. The subject of the discussion was the fact that NRC records show that the Byproduct License identified above has expired and no renewal application has been filed in accordance with Section 30.37 of Title 10, Code of Federal Regulations, Part 30.

From our discussions we learned that you still possess material which requires a specific NRC license. Your possession of that material without a valid, specific license is a violation of Section 30.3 of 10 CFR Part 30. Section 30.3 states:

"Except for persons exempt as provided in this part and Part 150 of this chapter, no person shall manufacture, use, import or export byproduct material except as authorized in a specific or general license issued pursuant to the regulations in this chapter".

This Notice of Violation is sent to you under the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office a written statement or explanation in reply including: (1) corrective steps which have been taken by you, and (2) corrective steps which will be taken to

Dupe

~~811100667~~

30 OCT 1981

avoid this happening in the future. Since you plan to continue possession of radioactive material, your corrective steps must include prompt filing of an application for a new license.

Also, you must immediately place the radioactive material on hand in secure storage until such time as you acquire a valid license. No other use of the material on hand or purchase of additional material is authorized. Include a statement in your reply to this Notice of Violation confirming that you have taken this action and describing the controls that will be exercised over the stored material until such time that you obtain a valid license.

You are required to reply to this Notice within thirty days of the date of this letter. Address your reply to Region I, U.S. Nuclear Regulatory Commission, Attention: Chief, Materials Radiological Protection Section, 631 Park Avenue, King of Prussia, Pennsylvania 19406.

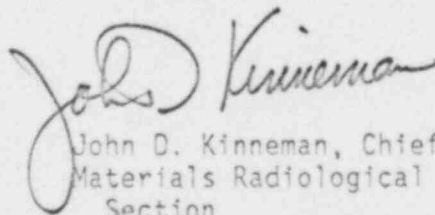
Since your present license has expired, your application for renewal will be processed as a request for a new license. Accordingly, you must determine if your program is subject to a license fee as required by Section 170.31 of 10 CFR Part 170 and, if one is required, submit the appropriate fee along with the application. Copies of appropriate application forms and guides are enclosed for your use.

We request that you give prompt attention to these matters. Should you have any questions regarding them, we would be pleased to discuss them with you.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room.

The responses directed by this Notice are not subject to the clearance procedures of the Offices of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,



John D. Kinneman, Chief
Materials Radiological Protection
Section

Enclosures:

1. NRC Form 313
2. 10 CFR Part 170

City of Harrisburg

3

30 OCT 1981

cc w/encls:

Public Document Room (PDR)

Nuclear Safety Information Center (NSIC) 30

Commonwealth of Pennsylvania