

ENCLOSURE

NOTICE OF VIOLATION

The Beaumont Company
Morgantown, West Virginia

Docket No: 040-08947
License No: SUB-1509

During the Nuclear Regulatory Commission (NRC) inspection conducted on April 3, 1990, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989), the violations are listed below:

- A. License Condition 11 requires that licensed material be used by or under the supervision of named individuals.

Contrary to the above, between September 1989 and April 3, 1990, licensed material was not used under the supervision of the named individuals in that they were no longer employed by the licensee during that time.

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

- B. License Condition 12 specifically names the Radiation Protection Officer for licensed activities.

Contrary to the above, between September 1989 and April 3, 1990, the named individual did not act as the Radiation Protection Officer for licensed activities in that his contract for services was terminated.

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

- C. 10 CFR 40.46 requires that licenses issued pursuant to the regulations of this part not be transferred, assigned or in any manner disposed of, directly or indirectly through transfer of control of any license to any person, unless the commission shall after securing full information, find that the transfer is in accordance with the provisions of this act, and shall give its consent in writing.

Contrary to the above, the control of license No. SUB-1509 was transferred in July 1988 without obtaining written consent from the NRC. The licensed company was sold and licensed activities continued after the sale.

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

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- D. License Condition 13.C. requires the licensee to conduct its program in accordance with the statements, representations and procedures contained in the application dated April 21, 1987.

Item 10 of the application states that the named Radiation Protection Officer will review the radiation safety program twice each year.

Contrary to the above, no review of the radiation safety program was performed between April 30, 1987 and April 13, 1990.

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

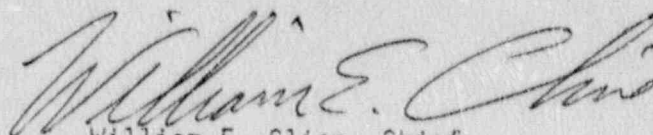
- E. 10 CFR 19.11(a) requires the licensee to post current copies of the license, license conditions, or documents incorporated into a license by reference and amendments thereto.

Contrary to the above, the licensee did not possess the documents incorporated into the license by reference in License Conditions 13.A., B., and C.

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

Pursuant to the provisions of 10 CFR 2.201, The Beaumont Company is hereby required to submit a written statement or explanation to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II, within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken.

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 24th day of April 1990