

NOTICE OF VIOLATION

University of Notre Dame
Notre Dame, IN 46556

License No. 13-01983-15
Docket No. 030-00694

During an NRC inspection conducted on July 1 and 2, 1993, 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, the violations are listed below:

1. License Condition No. 18 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

The referenced letter dated April 26, 1989, states in Item No. 8 that a retraining program in radiation safety will be offered on an annual basis, to radiation workers and ancillary personnel who might frequent a restricted area.

Contrary to the above, retraining was not offered on an annual basis to various ancillary personnel as required. Specifically, retraining in radiation safety was not offered to at least 5 members of the ancillary staff in 1991.

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

This is a repeat violation.

2. License Condition No. 18 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

The referenced letter dated April 26, 1989, states in Item No. 11 that radioactive material with a physical half-life of less than 75 days will be held for decay-in-storage before disposal in ordinary trash.

Contrary to the above, radioactive material with a physical half-life of more than 75 days was held for decay-in-storage before disposal in ordinary trash. For example, sulfur-35 with a half life of 88 days was held for decay-in-storage prior to disposal in ordinary trash.

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

3. License Condition No. 18 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

The referenced letter dated April 26, 1989, states in Item No. 10 that when it is ascertained that a package of radioactive material is not contaminated, the package will be delivered to the user's laboratory by the RM & S personnel.


Contrary to the above, as of July 1, 1993, packages containing radioactive material were not delivered to users laboratories by RM & S personnel as required. Specifically, packages containing radioactive material were routinely delivered to the receiving department in the chemistry and biology buildings rather than to users' laboratories.

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

Pursuant to the provisions of 10 CFR 2.201, University of Notre Dame is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, Illinois, 60137, 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 or a demand for information may be issued as to why the 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.

AUG 02 1993

Dated


B. J. Holt, Chief
Nuclear Materials Inspection
Section 1