

APPENDIX A
NOTICE OF VIOLATION

Department of the Interior, Geological Survey
Syosset, New York 11791

Docket No. 030-05582
License No. 31-13026-01

As a result of the inspection conducted on July 17, 1990 and a review of records at NRC Region I on August 7, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1990), the following violations were identified:

- A. 10 CFR 30.37(b) requires that each licensee file for renewal not less than thirty (30) days prior to the expiration of his existing license. If such a renewal application is in proper form, the existing license shall not expire until final action on the application by the Commission.

Contrary to the above, as of August 7, 1990, no such renewal of License No. 31-13026-01 has been received by the Commission and the license expired on July 31, 1990.

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

- B. Condition 18 of License No. 31-13026-01 requires that licensed material be possessed and used in accordance with the statements, representations and procedures contained in various applications and letters, including letters dated January 18, 1985 and April 1, 1985.

1. Item 1 of the January 18, 1985 letter designates Anthony Giaimo as the Radiation Safety Officer (RSO) for License No. 31-13026-01.

Contrary to the above, Anthony Giaimo left your employ in approximately June of 1989 and no replacement Radiation Safety Officer has been submitted for approval by the Commission.

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

2. The April 1, 1985 letter describing survey meter calibration states survey meters are calibrated on a yearly basis and that a calibration sheet is supplied with each instrument.

Contrary to the above, the Eberline PNR-4 neutron rem-meter was last calibrated on February 16, 1988 and no calibration sheets for any instrumentation were available.

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

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- C. Condition 13 of License No. 31-13026-01 requires leak testing of sealed sources be performed at intervals not to exceed six months and that records be kept for inspection by the Commission.

Contrary to the above, historical records of such leak tests for all sources were not available for the time periods prior to the placement of the sources in storage.

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

- D. Conditions 6 and 8 of License No. 31-13026-01 limit the amount of americium-241 that may be possessed to a total of one source of 250 millicuries and the amount of cesium-137 to one source not to exceed 100 millicuries.

Contrary to the above, on July 17, 1990, you possessed two sources of americium-241 of 250 millicuries each and three cesium-137 sources, one containing 100 millicuries, one containing 3 millicuries and one containing 15 microcuries.

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

- E. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with all sections of Part 20. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to the above, surveys were not made to assure compliance with 10 CFR 20.105(b) which limits radiation levels in unrestricted areas. Specifically, surveys were not conducted outside the source storage room from the time sources were initially placed in storage through July 17, 1990.

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

Pursuant to the provisions of 10 CFR 2.201, Department of the Interior, Geological Survey 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.

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

- E. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with all sections of Part 20. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to the above, surveys were not made to assure compliance with 10 CFR 20.105(b) which limits radiation levels in unrestricted areas. Specifically, surveys were not conducted outside the source storage room from the time sources were initially placed in storage through July 17, 1990.

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