

NOTICE OF VIOLATION

Briggs Associates, Inc.
Rockland, Massachusetts

Docket No. 030-10963
License No. 20-16401-01
EA 89-221

During an NRC inspection conducted on January 21-22, 1988 at the licensee's facility in Rockland, Massachusetts, 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 (1988), the particular violations are set forth below:

- A. 10 CFR 34.43(b) requires, in part, that a survey with a calibrated and operable radiation survey instrument be made after each radiographic exposure to determine that the sealed source has been returned to its shielded position. The entire circumference of the radiographic exposure device must be surveyed.

Contrary to the above, on January 22, 1988, after a radiographic operation was performed, an adequate survey was not made to determine that the sealed source had returned to its shielded position in that the radiographer did not survey the entire circumference of the radiographic exposure device.

This is a Severity Level IV Violation (Supplement VI)

- B. 10 CFR 20.203(c)(1) requires that each high radiation area be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: "Caution-High Radiation Area."

Contrary to the above, on January 22, 1988, while the radiography source was exposed in the licensee's radiographic cell, the high radiation area surrounding the source was not posted with a sign bearing the words "Caution-High Radiation Area".

This is a Severity Level IV Violation (Supplement VI)

- C. 10 CFR 71.5(a) requires that each licensee who transports licensed material outside the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, shall comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170-189.

49 CFR 172.202(a)(1) and (a)(3), respectively, require that the shipping description of a hazardous material on the shipping paper include the proper shipping name and identification number prescribed for the material. 49 CFR 172.203(d)(1)(ii), (v) and (vii), respectively, require in part that the description for a shipment of radioactive material include (1) a description of the physical and chemical form of the material, (2) the transport index assigned to each package in the shipment, and (3) for a package approved by the U. S. Nuclear Regulatory Commission, a notation of the package identification marking as prescribed in the NRC approval.

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Contrary to the above, on January 21, 1988, a radiographic exposure device containing approximately 55 curies of iridium-192 was transported outside of the confines of the licensee's facility to a temporary job site, and the shipping paper that accompanied the device did not include the following information:

1. the proper shipping name prescribed for the material;
2. the identification number prescribed for the material;
3. a description of the physical and chemical form of the material;
4. the transport index assigned to the package; and
5. a notation of the package identification marking as prescribed in the NRC approval for that package.

This is a Severity Level IV Violation (Supplement VI)

- D. 10 CFR 34.27 requires that licensees maintain current utilization logs and keep them available for three years from the date of the recorded event, for inspection by the Commission at the address specified in the license, showing for each sealed source the following information: (a) a description (or make and model number) of the radiographic exposure device or storage container in which the sealed source is located, (b) the identity of the radiographer to whom assigned, and (c) the plant or site where it was used and the dates of use.

Contrary to the above, on August 18 and October 6, 1987, radiographic operations were performed in that the radiographic exposure device was exposed during two monthly personnel safety audits at the licensee's facility in Rockland, Massachusetts, and, for these two radiographic operations, a utilization log documenting the information required in (a) through (c) above was not maintained at the address specified in the license.

This a Severity Level V Violation (Supplement VI)

- E. 10 CFR 20.401(a) requires that licensees maintain records showing the radiation exposures of all individuals for whom personnel monitoring is required under 10 CFR 20.202. Such records shall be kept on Form NRC-5, in accordance with the instructions contained in that form, or on clear and legible records containing all the information required by Form NRC-5.

Contrary to the above, as of January 22, 1988, exposure records were not maintained for an individual for whom personnel monitoring was required under 10 CFR 20.202. Specifically, no exposure records were maintained for a radiography trainee who had been involved in approximately three radiographic operations since May 1987.

This is a Severity Level V Violation (Supplement VI)

- F. 10 CFR 19.11(a)(1) and (b), respectively, require that the license post current copies of 10 CFR Parts 19 and 20, or that a notice which describes the documents and states where they may be examined be posted.

Contrary to the above, on January 22, 1988, 10 CFR Parts 19 and 20 were not posted at the licensee's facility in Rockland, Massachusetts, nor was a notice posted describing the documents and where they may be examined.

This is a Severity Level V Violation (Supplement VI)

Pursuant to the provisions of 10 CFR 2.201, Briggs Associates, Inc. is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a copy to the Regional Administrator, Region I, within 30 days of the date of this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each alleged violation: (1) admission or denial of the alleged violation, (2) the reasons for the violation if admitted, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps that will be taken to avoid further violations, and (5) 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 the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By:
Thomas T. Martin

Thomas T. Martin
Regional Administrator

Dated at King of Prussia, Pennsylvania
this 22 day of October 1990