

APPENDIX

NOTICE OF VIOLATION

Tumbleweed X-Ray Company
Greenwood, Arkansas

Docket No. 30-28741/90-01
License No. 03-23185-01

During an NRC inspection conducted on September 26 and October 4, 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 (1990), the violations are listed below:

1. License Condition 17 requires, in part, that the licensee possess and use licensed material in accordance with the statements, representations, and procedures contained in the application dated July 19, 1983, and letter dated August 29, 1983.

Item 7 of the letter references an attachment to the license application, designated as 6(g), "Internal Inspection and Management Controls," which describes the licensee's program for conducting field audits of radiographers' performance. Item 3 of the attachment specifies, in part, that upon completion of the radiographer's performance review, the review form will be placed in the individual radiographer's personnel file and will be retained for a period of 2 years.

Contrary to the above, as of October 4, 1990, the licensee had failed to maintain copies of radiographers' performance review forms for reviews conducted for one radiographer during the first quarter of 1990, three radiographers during the second quarter of 1990, and six radiographers during the third quarter of 1990.

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

2. 10 CFR 34.31(c) requires that records of training as described under 10 CFR 34.31(a) and (b), including copies of written tests and dates of oral tests and field examinations, shall be maintained for 3 years.

Contrary to the above, as of October 4, 1990, the licensee had failed to maintain copies of written tests or records of field examinations for three radiographers. One radiographer had been employed and tested in 1988, a second in June 1990, and the third in August 1990.

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

3. 10 CFR 34.26 requires, in part, that each licensee conduct a quarterly physical inventory to account for all sealed sources received and possessed under the license and that records of the inventories be maintained for 3 years from the date of the inventory. Records shall include the quantities and kinds of byproduct material.

Contrary to the above, as of October 4, 1990, the licensee had failed to maintain records of physical inventories conducted for iridium-192 sealed sources as follows: the fourth quarter 1989 for Serial No. 4363; the first quarter 1990 for Serial Nos. 5250, 4055, and 4622; and the third quarter 1990 for Serial No. 5148. Additionally, records of physical inventories did not include documentation of the quantities and kinds of byproduct material in every case.

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

4. 10 CFR 34.28(b) requires, in part, that the licensee conduct a program for inspection and maintenance of radiographic exposure devices at intervals not to exceed 3 months or prior to the first use thereafter. The licensee shall retain records of these inspections and maintenance for 3 years.

Contrary to the above, as of October 4, 1990, the licensee had failed to retain records of inspection and maintenance for SPEC 2-T radiographic exposure devices as follows: the fourth quarter 1989 for Serial No. 607; the first quarter 1990 for Serial Nos. 634, 617, and 64; and the third quarter 1990 for Serial No. 630.

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

Pursuant to the provisions of 10 CFR 2.201, Tumbleweed X-Ray Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, and if applicable, a copy to the NRC Resident Inspector, 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 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. Where good cause is shown, consideration will be given to extending the response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Arlington, Texas
this 8th day of November 1990