

APPENDIX

NOTICE OF VIOLATION

Pittsburgh-Des Moines Corporation

Docket: 30-19522  
License: 43-19915-01

As a result of the inspection conducted on June 24, 1982, and in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 47 FR 9987 (March 9, 1982), the following violations were identified:

1. License Condition 15 states, in part, that except as specifically provided otherwise by this license, the licensee shall possess and use licensed material described in items 6, 7, and 8 of this license in accordance with statements, representations, and procedures contained in application dated November 16, 1978, and letter dated July 21, 1981.

Contrary to this requirement, the licensee did not perform the required internal inspections of a radiographer during the period between June 1981 and June 1982.

This is a Severity Level IV (Supplement VI).

2. 10 CFR 20.102(a) requires that each licensee shall require each individual, prior to first entry into the licensee's restricted area under such circumstances that the individual is likely to receive, in any period of one calendar quarter, an occupational dose in excess of 25 percent of the standards specified in 20.101(a), to disclose in a written, signed statement, either (1) that the individual had no prior occupational dose during the current calendar quarter, or (2) the nature and amount of any occupational dose which the individual may have received during that specifically identified current calendar quarter from sources of radiation possessed or controlled by other persons.

Contrary to this requirement, a signed statement, attesting to prior occupational dose, was not obtained from radiographers hired during the period June 1981 to June 1982 and prior to their entrance into a restricted area.

This is a Severity Level V (Supplement IV).

3. 10 CFR 71.5(a) requires, in part, that no licensee shall transport any licensed material outside of the confines of his plant or other place of use, or deliver any licensed material to a carrier for transport unless the licensee complies with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation in 49 CFR Parts 170-189.

- a. 49 CFR 173.398(a), Note 1, requires, in part, that each shipper of special form radioactive material shall maintain on file for at least one year after the last shipment, a complete certification and supporting safety analysis demonstrating that the special form material meets the requirements of paragraph (a) of that section.

Contrary to this requirement, the licensee did not have the certification for special form radioactive material transported on public highways in the State of Utah during the period July 1981 to June 1982.

- b. 49 CFR 173.393a(a)(1) requires, in part, that before the first shipment in a package approved by the U. S. Nuclear Regulatory Commission for use by another person, each shipper shall register in writing with the USNRC, Division of Materials Licensing, his name and address, the name of the person to whom the USNRC approval was issued, and approval number assigned to the package.

Contrary to this requirement, the licensee did not register prior to the first shipment of byproduct material using Gamma Industries Model C-10 during the period June 1981 to June 1982.

- c. 49 CFR 173.394(a)(1) requires, in part, that each shipper of a Specification 7A package must maintain on file a complete certification and supporting safety analysis demonstrating that the construction methods, package design, and materials of construction are in compliance with the specification.

Contrary to this requirement, the licensee did not have the Specification 7A package certification for Type A quantities of radioactive material transported on public highways in the State of Utah during the period June 1981 to June 1982.

This is a Severity Level V (Supplement V).

4. 10 CFR 71.12 requires, in part, that a licensee who delivers for transport a Type B quantity of radioactive material as specified in 49 CFR 173.394(b) shall have a quality assurance program for shipping packages for which a description has been submitted to and approved by the Commission.

Contrary to this requirement, a quality assurance program was not established for shipments of licensed material during the period of June 1981 to June 1982.

This is a Severity Level V (Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, Pittsburgh-Des Moines Corporation is hereby required to submit to this office, within 30 days of the date of this Notice, a written statement or explanation in reply, including:

- (1) the corrective steps which have been taken and the results achieved;
- (2) the corrective steps which will be taken to avoid further violations; and
- (3) the date when full compliance will be achieved.

Consideration may be given to extending your response time for good cause shown.

Dated                     AUG 05 1982