

APPENDIX A

NOTICE OF VIOLATION

Nuclear Research Corporation
Dover, New Jersey 07801

Docket Nos. 30-5302
70-0356
License Nos. 29-04236-01
SNM-331

As a result of the inspection conducted on March 8, 10 and 11, 1982 and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violations were identified:

- A. 10 CFR 20.201(b) requires that such surveys as are necessary to comply with all sections of Part 20 be made. 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, on March 11, 1982, surveys were not made to assure that licensed material was not inadvertently disposed of in a manner other than as authorized by 10 CFR 20.301. Specifically, concrete contaminated with up to 1.5 nanocuries per square centimeter of strontium-90 was found in a normal trash dumpster outside the facility.

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

- B. 10 CFR 71.5(a) requires that in transporting licensed material outside the confines of a plant or facility each licensee comply with the regulations of the Department of Transportation.

1. 49 CFR 173.393(n)(1) requires that prior to each shipment of any package the shipper insure by examination or appropriate test that the package is proper for the contents to be shipped.

Contrary to the above, on February 25, 1982, several packages containing licensed material were shipped without an examination or appropriate test to determine whether the licensed material was properly packaged.

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

2. 49 CFR 172.403 requires that each package of radioactive material, unless excepted from labeling by §173.391 or §173.392, be labeled with a RADIOACTIVE WHITE-I, a RADIOACTIVE YELLOW-II, or a RADIOACTIVE YELLOW-III label.

Contrary to the above, on February 25, 1982, several packages of radioactive material were transported without affixing a RADIOACTIVE WHITE-I, a YELLOW-II, or a YELLOW-III label.

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

Pursuant to the provisions of 10 CFR 2.201, Nuclear Research Corporation is hereby required to submit to this office within thirty 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) 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.

Dated JUL 30 1982

Original Signed By:

Thomas T. Martin, Director
Division of Engineering and
Technical Programs

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APPENDIX B

REGION I MEETING SUMMARY

Subject: Events of February 24 to March 8, 1982 and the Results of Inspection conducted on March 8, 10, and 11, 1982.

On March 18, 1982, representatives of Nuclear Research Corporation met with Nuclear Regulatory Commission Region I personnel at the Region I Office in King of Prussia, Pennsylvania. The attendance list is attached as Appendix C.

During the meeting, Region I representatives discussed the information which had been provided to the Commission in a letter from the licensee dated March 2, 1982. Enclosure 2 to this letter stated that, "No readings greater than background have been observed." during the licensee's closeout survey of the "source house". During the inspection on March 8, 1982, licensee representatives stated that the floor of the "source house" had not been chipped to remove contamination. During a special inspection on March 11, 1982, NRC representatives were informed that the licensee's closeout survey of the "source house" did identify "readings above background" and that the floor of the "source house" had been chipped to remove contamination. NRC representatives indicated that the inspection results demonstrated that the information which had been provided to the NRC as of March 8, 1982 was not complete. The violations which resulted from the March 11, 1982 inspection were also discussed.

It was stressed that the Commission requires full and complete information from licensees in their dealings with the Commission.

Enforcement options available to the Commission were reviewed.

The Nuclear Research Corporation representatives indicated a commitment to forthrightness in their communications with the Commission. They further indicated that the following actions have been taken:

1. Immediate management review of the activities involved in moving licensed material and decontamination of one of the buildings.
2. A procedure was developed to assure that the remainder of the move would be performed in compliance with Commission regulations.

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APPENDIX C

Attendance List

Attendance at the U. S. Nuclear Regulatory Commission - Nuclear Research Corporation Meeting on March 18, 1982 at Region I, King of Prussia, Pennsylvania.

Nuclear Research Corporation

Mr. E. Pollock, President
Mr. J. Cooley, General Manager, Denville Division
Mr. D. Silverstein, Radiac Coordinator

NRC, Region I

Mr. R. Carlson, Director, Enforcement and Investigation Staff
Mr. J. Joyner, Chief, Technical Programs Branch
Dr. J. Glenn, Chief, Materials Licensing Section
Ms. M. Campbell, Radiation Specialist