

APPENDIX A

NOTICE OF VIOLATION

Degussa Corporation
South Plainfield, New Jersey 07080

Docket No. 030-32538
License No. 29-28703-01

During an NRC inspection conducted on December 2 and 3, 1993, 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, the violations are listed below:

A. Condition 12 of License No. 29-28703-01 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in a letter dated March 6, 1992, and an application dated September 24, 1991.

1. Item No. 10 of the application dated September 24, 1991, requires urine samples be taken semi-annually and analyzed for gross alpha and gross beta contamination.

Contrary to the above, as of December 3, 1993, analysis was not performed of urine samples obtained during June 1993.

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

2. Item No. 10 of the application requires that health physics surveys will be performed quarterly and will include direct and removable monitoring. Item 10 of the February 11, 1992, enclosure to the letter dated March 6, 1992, requires that records of surveys will be maintained.

Contrary to the above, as of December 3, 1993, records were not maintained of direct reading surveys conducted quarterly.

This is a Severity Level V violation. Supplement VI)

3. Item No. 8 of the letter dated March 6, 1992, requires that testing for training comprehension will be done orally.

Contrary to the above, as of December 3, 1993, no oral comprehension testing has been conducted of training provided during November 1992.

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

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- B. 10 CFR 19.11(a) and (b) require that current copies of Part 19, Part 20, the license, license conditions, documents incorporated into the license, license amendments, and operating procedures be posted, or that a notice describing these documents and where they may be examined, be posted. 10 CFR 19.11(c) requires that Form NRC-3, "Notice to Employees," be posted.

Contrary to the above on December 2, 1993, neither the documents nor the notices were posted.

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

Pursuant to the provisions of 10 CFR 2.201, Degussa Corporation 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 I, 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 or a Demand for Information 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.