

Appendix A

Notice of Violation

U. S. Department of Commerce  
Gaithersburg, Maryland

Docket No. 70-398  
License No. SNM-362

As a result of the inspection conducted on July 7 - 9, 1982, and in accordance with the NRC Enforcement Policy, 10 CFR 2, Appendix C, the following violations were identified:

- A. 10 CFR 71.12 states, in part, "A general license is hereby issued to persons holding a general or specific license issued pursuant to this chapter, to deliver licensed material to a carrier for transport . . . in a package for which a license, certificate of compliance, or other approval has been issued by the Commission's Director of Nuclear Material Safety and Safeguards or the Atomic Energy Commission . . ."

Contrary to the above, on May 26, 1981, 2.2 curies of Californium-252, licensed material, were delivered to a carrier for transport in a package without a license, certificate of compliance, or other approval issued by the Commission.

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

- B. 10 CFR 71.5 requires compliance with applicable regulations of 49 CFR Parts 170 through 189. 49 CFR 173.374(a)(1) requires each shipper of a Specification 7A package to maintain on file for at least one year after the latest shipment, a complete certification and supporting safety analysis demonstrating that the construction methods, packaging design, and materials of construction are in compliance with the specification.

Contrary to the above, on May 28, 1982, 0.96 curies of Californium-252 were shipped in a Specification 7A package, and a complete certification and supporting safety analysis demonstrating that the construction methods, packaging design, and materials of construction were in compliance with the specification was not maintained.

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

- C. 10 CFR 20.203(f) (1) requires containers in which licensed material is stored to be posted with a durable, clearly visible sign bearing the radiation caution symbol and the words: CAUTION, RADIOACTIVE MATERIAL, and the label must identify the radioactive contents.

OFFICIAL RECORD COPY

Contrary to the above, on July 8, 1982, a cask in which a 70 millicurie Californium-252 source was stored, located on a loading dock at Building 245, did not bear a durable, clearly visible label identifying the radioactive contents.

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

Pursuant to the provisions of 10 CFR 2.201, the U. S. Department of Commerce 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) 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.

Date: SEP 08 1982