

APPENDIX A

NOTICE OF VIOLATION

Ted Forsi and Associates, Inc.
124 East Seventh Avenue
Anchorage, Alaska 99501

License No. 50-19401-01

As a result of the inspection conducted on July 23, 1982 and in accordance with NRC Enforcement Policy, (10 CFR Part 2, Appendix C) 47 FR 9987 (March 9, 1982), the following violations were identified:

- A. 10 CFR 20.207(a) specifies that licensed material stored in an unrestricted area shall be secured from unauthorized removal. Additionally, License Condition 17 specifies that licensed materials be utilized in accordance with statements, representations, and procedures contained in application dated June 16, 1980. Items 15A, 8 and 9 to the June 16, 1980 application specify that the gauge will be locked within an authorized enclosure (e.g. closet, cabinet, vehicle, etc.) and that if a pickup truck is used, that the gauge be locked in an enclosure (e.g. cabinet, shipping case, etc.) and the enclosure be tied securely (e.g. chained, bolted, etc.) to prevent loss or theft.

Contrary to the above requirements, on June 23, 1982, licensed material (Troxler Model 3411B, Serial No. 8833, moisture density gauge, containing 8mCi of cesium-137 and 40mCi of americium-241) was found in an unlocked shell of a pickup truck (Alaska license plate number 889988). The shipping container was not locked, the gauge itself was not locked, and the shipping container/enclosure was not tied securely to the body of the truck.

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

- B. License Condition 12 as amended August 27, 1980 specifies that "Licensed material shall be utilized by or under the supervision and in the physical presence of Keith Mobley or Nils Lindholm.

Contrary to the above requirement, during June and July of 1982, four licensee employees had utilized licensed materials (Troxler Model 3411B, Serial No. 8833, moisture density gauge, containing 8mCi of cesium-137 and 40mCi of americium-241) when not under the supervision and in the physical presence of either Keith Mobley or Nils Lindholm.

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

- C. License Condition 17 requires that licensed materials be utilized in accordance with statements, representations, and procedures contained in application dated June 16, 1980. Item 15,A,3 of the application specifies that all persons operating or transporting the gauge shall wear film badges. Also, licensee response dated October 8, 1981 to

the NRC Notice of Violation dated September 2, 1981, Item A, specifies that "Film badges for persons utilizing and transporting the gauge have been ordered and will be utilized by all persons involved with the gauge. The gauge shall not be moved or utilized until badges have been obtained."

Contrary to the above requirement and stated corrective actions, on July 23, 1982, the licensee was found to have transported licensed materials (a Troxler Model 3411 B, Serial No. 8833, moisture density gauge, containing 8mCi of cesium-137 and 40mCi of americium-241) from the licensee's offices in Anchorage, Alaska to the licensee's offices in Soldotna, Alaska and to have allowed use of the gauge by four employees without providing film badges or any other form of personnel dosimetry.

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

- D. 10 CFR 19.11(a) specifies that each licensee shall post current copies of the following documents: (1) 10 CFR Parts 19 and 20, (2) the license, license conditions or documents incorporated into the license by reference and amendments thereto, and (3) the operating procedures applicable to the licensed activities. 10 CFR 19.11(b) states that if posting of documents specified in 10 CFR 19.11(a) is not practicable, the licensee may post a notice which describes the document and states where it may be examined.

Contrary to the above requirements, at the time of the inspection, neither the posting of documents required by 19.11(a) nor the notice authorized by 10 CFR 19.11(b) were posted at the licensee's offices in Soldotna, Alaska.

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

- E. 10 CFR 19.11(c) and (d) requires that Form-3, "Notice to Employees," shall be posted by the licensee in a sufficient number of places to permit individuals engaged in licensed activities to observe them on the way to or from any particular licensed activity location.


Contrary to the above requirements, at the time of the inspection, no Form NRC-3 was posted at the licensee's offices in Soldotna, Alaska.

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

Pursuant to the provisions of 10 CFR 2.201, Ted Forsi and Associates, Inc. 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 items of noncompliance; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

SEP 28 1982

Date



R. D. Thomas, Chief
Materials Radiation Protection Section