

APPENDIX A
NOTICE OF VIOLATION

Wolfe Brothers, Inc.
Myersville, Maryland 21773

Docket No. 030-31112
License No. 19-28373-01

As a result of the inspection conducted on June 28, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1988), the following violations were identified:

- A. 10 CFR 71.5(a) requires that each licensee who transports licensed material outside of the confines of its plant or other places of use shall comply with the applicable requirements of the regulations, appropriate to the mode of transport, of the Department of Transportation in 49 CFR Part 170-189.

49 CFR 172.200(a) requires that each person who offers a hazardous material for transportation shall describe the hazardous material on a shipping paper.

49 CFR 177.817(e) requires in part that the shipping paper be clearly distinguished, and be within the immediate reach of the driver when he or she is restrained by a seat belt, and that the shipping paper be readily visible to a person entering the driver compartment.

Contrary to the above, the licensee has transported licensed hazardous material outside the confines of its office since July 28, 1981, without shipping papers.

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

- B. 10 CFR 19.11 requires a licensee to post current copies of certain documents near or in a licensed activity location. These documents include 10 CFR 19, 10 CFR 20, the licensee complete with amendments, referenced documents, and operating procedures. If posting is not practicable, the licensee may post a notice that describes the documents and where they may be examined. The licensee is also required to post Form NRC-3, "Notice of Employees," to permit individuals who frequent any portion of a "restricted area" to observe the form.

Contrary to the above, on August 8, 1988, none of the above documents were posted by the licensee.

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

OFFICIAL RECORD COPY

ML DL WOLFE - 0003.0.0
08/02/90

9008160224 900806
REG1 LJC30
19-28373-01 PDC

RETURN ORIGINAL TO
REGION I

IE:07

Pursuant to the provisions of 10 CFR 2.201, Wolfe Brothers, Inc. is hereby required to submit to this office within thirty days of the date of the letter which transmitted 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.