

FEB 24 1994

Docket No. 030-12965
License No. 47-17564-01

Kermit Butcher
ATTN: Mr. Kermit Butcher
Route 33 East
P.O. Box 213
Elkins, West Virginia 26241

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NO. 47-17564-01/94-01)

This refers to the inspection conducted by Mr. J. Mumper of this office on January 25, 1994. The inspection included a review of activities authorized for your Elkins, West Virginia facility. At the conclusion of the inspection, the findings were discussed with you.

The inspection was an examination of activities conducted under your license with respect to radiation safety and compliance with NRC regulations and the conditions of your license. It included selective examinations of procedures and representative records, interviews with personnel, and direct observations by the inspector.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). In addition, the inspector identified activities that violated NRC requirements that will not be subject to enforcement action because the licensee's efforts in identifying and/or correcting the violations meet the criteria specified in Section VII.B of the Enforcement Policy. The non-cited violations include failure to retain records of portable gauge user training, failure to retain inventory records and failure to mark a portable gauge shipping container with the letters RQ. These items were discussed with you during the meeting at the conclusion of the inspection.

The second violation described in the enclosed Notice is similar to a violation contained in the Notice sent to you by our letter dated July 17, 1987. Recurring violations are of particular concern because the NRC expects licensees to learn from their past failures and to take effective corrective actions.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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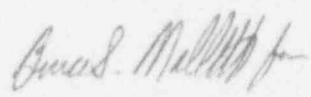
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In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and any reply will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,



J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Enclosure:
Notice of Violation

cc w/encl:
State of West Virginia

bcc w/encl:
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