

NOTICE OF VIOLATION

Wisconsin Industrial
Testing, Inc.
Brookfield, Wisconsin

License No. 48-17480-01
Docket No. 030-12825

During an NRC inspection conducted on February 16, 1994, 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:

1. 10 CFR 71.12(a) and (c)(1)(2) states, in part, that a general license to transport licensed material, applies only to a licensee who has a copy of the certificate of compliance, or other approval of the package and complies with the terms and conditions of the certificate. The certificate of compliance for the Type-B container USA/6717/B(U) under condition No. 5(a)(2) requires that the void space of the drum between the inner and outer container be filled with 1-1/2 inches thick molded asbestos free liner on sides, top and bottom, plus molded polyurethane filler to position and secure the radiographic device within the drum.

Contrary to the above, on numerous occasions in 1993 and to February 5, 1994, the licensee transported radiographic devices containing nominal 100 curie Ir-192 sealed sources inside USA/6717/B(U) shipping containers, and failed to fill the top void between the inner and outer containers with 1-1/2 inches thick molded asbestos, and some of the molded polyurethane filler used to position and secure the radiographic device had been removed.

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

2. 10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.

49 CFR 173.25 requires, in part, for packages containing hazardous materials and offered for transportation in an overpack, that: (1) the overpack be marked with the proper shipping name and identification number. Pursuant to 49 CFR 172.101, radioactive material is classified as hazardous material.

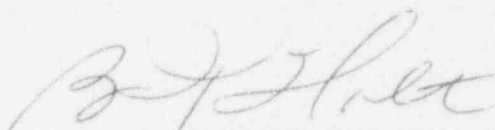
Contrary to the above, on numerous occasions in 1993 and to the day of the inspection, February 16, 1994, the licensee transported nominal 100 curie Ir-192 radiographic devices in overpacks that were not marked with the proper shipping name (radioactive material, Special Form, NOS) and identification number (UN2974).

This is Severity Level IV violation (Supplement V).

Pursuant to the provisions of 10 CFR 2.201, Wisconsin Industrial Testing, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois, 60532-4351, 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 as to 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.

MAR 3 1994

Dated _____



B. J. Holt, Chief
Nuclear Materials Inspection
Section 1