

FEB 25 1994

Docket No. 030-29650
License No. 45-24880-01

Valley Asphalt Products, Inc.
ATTN: Mr. Fred Franklin, President
P.O. Box 138
Clearbrook, VA 22624

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NO. 45-24880-01/94-01)

This refers to the inspection conducted by Lee Franklin of this office on January 12, 1994 and the telephone discussion with you on February 25, 1994, providing inspection findings. The inspection included a review of activities authorized for your Clearbrook, 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, you should be aware that NRC regulations in 10 CFR 30.9 require that information provided to the NRC be complete and accurate in all material respects. During the inspection, your Radiation Safety Officer (RSO) initially appeared to be less than forthright with the inspector when he was questioned concerning the qualifications of a former employee. Initially, the inspector was informed by the RSO that a former employee had been trained by attending the device manufacturer's training program but, upon termination of his employment had taken his training records with him. Your RSO subsequently stated that he had trained the former employee instead of the device manufacturer. Although your RSO eventually provided complete and accurate information, we are concerned that initially the information was not complete and accurate.

Because of the circumstances outlined above, in addition to your response to the enclosed Notice, you are required to provide a written statement as to why the NRC should have reasonable assurance that information provided to the NRC by your RSO or any other employee in the future will be complete and accurate. This should include a description of actions you have taken or plan to take to ensure that information provided to the NRC in the future will be complete and accurate in all respects.

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Valley Asphalt Products, Inc.

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Also, we understand that recently you have used licensed material infrequently. You should be aware that if you do not intend to use licensed material in the future, you may transfer the material to an authorized recipient and request that the NRC terminate your license.

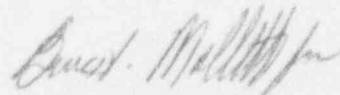
You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this 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.

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,



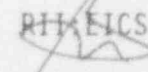
J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Enclosure:
Notice of Violation

cc w/encl:
Commonwealth of Virginia

bcc w/encl:
Document Control Desk

(*SEE NEXT PAGE - FOR PREVIOUS CONCURRENCES)

RII:DRSS *	RII:DRSS *	RII:DRSS *	RII:DRSS Benn	RH/EICS 
LFranklin 2/ /94	CHosey 2/ /94	DMcollins 2/ /94	BMallett 2/25/94	BUryc 2/25/94

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