

Appendix A

NOTICE OF VIOLATION

Department of the Navy
Naval Ocean Systems Center
San Diego, California 92152

License No. 04-05645-04

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

- A. License Condition 13.A. states, in part, that each sealed source containing licensed materials, other than hydrogen-3, with a half-life greater than thirty days, and in any form other than gas, shall be tested for leakage and/or contamination at intervals not to exceed six months.
1. Contrary to the above requirement, a sealed source, containing 45 millicuries of cobalt-60 (on 10/12/82) was leak tested on August 29, 1980 and was not leak tested again until June 22, 1981, a period exceeding 9 months.
 2. Contrary to the above requirement, two sealed sources, containing 2 millicuries and 89 millicuries of americium-241, respectively, were leak tested on August 29, 1980 and were not leak tested again until April 24, 1981, a period in excess of 7 months.

These items constitute a Severity Level IV Violation (Supplement VI).

- B. License Condition 15 states, in part, that the licensee shall possess and use licensed material in accordance with statements, representations, and procedures contained in application dated March 22, 1979 and letters dated September 19, 1979 and October 14, 1980.
1. Chapter I, Item 2.b.(1) of the Ionizing Radiation Control Manual, (NOSCINST 5100.2A) which was submitted as an attachment to the letter dated October 14, 1980, states that the Ionizing Radiation Control Committee meetings will be held semi-annually or more frequently when directed by the Chairman.

Contrary to the above requirement, the Ionizing Radiation Control Committee held only one meeting on September 14 during the year 1981, and no additional meetings were conducted as of the date of the inspection, December 9, 1982.

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

2. Chapter I, Item 2.c.(11) and Chapter III, Item 6.a. of the Ionizing Radiation Control Manual, (NOSCINST 5100.2A) which was submitted as an attachment to the letter dated October 14, 1980, states that the Radiological Safety Officer will routinely inspect and check work areas for radiation levels which will be documented for inspection. Also, 10 CFR 20.401(b) requires each licensee to maintain records of the result of surveys required by 10 CFR 20.201(b).

Contrary to the above requirements, records were not maintained of radiation surveys performed by the Radiation Safety Officer during the period between December 31, 1980 and August 9, 1982.

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

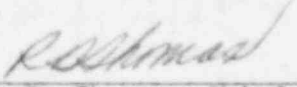
- C. 10 CFR 20.203(f)(1) states that each container of radioactive material shall bear a durable, clearly visible label identifying the radioactive contents. Also 10 CFR 20.203(f)(2) states that the required label shall bear the radiation caution symbol and the words "Caution, Radioactive Material" or "Danger, Radioactive Material."

Contrary to the above requirements, at the time of the inspection, a sealed source containing 45 millicuries of cobalt-60 (on 10/12/82) was stored within a locked container located outside of Building 46 which was not posted with the words "Caution, Radioactive Material", and did not identify the radioactive contents.

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

Pursuant to the provisions of 10 CFR 2.201, Naval Ocean Systems Center 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.

dated December 27, 1982



R. D. Thomas, Chief
Materials Radiation Protection Section