

EMPIRE CONSTRUCTION & MATERIALS, INC.

P.O. Box 440 Jenks, Oklahoma 74037

(918) 299-5606

March 14, 1994

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

REPLY TO A NOTICE OF VIOLATION

Empire Construction & Materials, Inc.
Jenks, Oklahoma 74037

Docket: 030-31312
License: 35-27002-01

VIOLATION A: License Condition 11 specifies that the Radiation Safety Officer for this licensee is Ronald D. Brown.

(1) Ronald Brown was promoted to a higher position in our company and his replacement was trained and certified. However, he failed to comply with Commission rules and regulations and conditions of the license.

(2) At this time I have sent in an amendment to our license. Len Campbell will be our Radiation Safety Officer. He has received his training and is certified.

(3) Risk Management, Inc., a professional safety consulting firm has designated a consultant (Cindy Glover), who will oversee NRC regulations at our plant and she will complete the NRC license requirements. She will conduct selective examinations of procedures and representative records, interviews of personnel and will observe activities in progress. Cindy will then report directly to me.

(4) The day we receive our amendment to our license will be the day of full compliance.

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We are an equal employment opportunity employer.

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VIOLATION B: License Condition 13.A.(1) requires, in part, that the licensee test its sealed sources for leakage and/or contamination at intervals not to exceed 6 months.

(1) Same as Violation A (1)

(2) We have purchased the Leak Test Packets to test for leakage and/or contamination. Attached are copies of our tests taken in February. Mr. Campbell will perform these tests at intervals not to exceed 6 months.

(3) Same as Violation A (3)

(4) Full compliance will be as of this date.

VIOLATION C: License Condition 16 requires that the licensee conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.

(1) Same as Violation A (1)

(2) A physical inventory will be taken every 6 months and records will be kept by Len Campbell.

(3) Same as Violation A (3)

(4) Full compliance will be as of this date.

VIOLATION D: License Condition 20 requires, in part, that the licensee conduct its program in accordance with the statements, representations, and procedures contained in the licensee's application dated September 8, 1989.

(1) Same as Violation A (1)

(2) I am enclosing copies of personnel exposure records that we found in the office:

For 1992: Report dated 11/23/92
For 1993: Reports dated 1/4/93-4/23/93-7/8/93-10/8/93
For 1994: Report dated 1/12/94

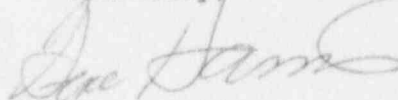
These records will be maintained on a quarterly basis by Len Campbell.

- (3) Same as Violation A (3)
- (4) Full Compliance will be as of this date.

VIOLATION E: CFR 19.11(a) and (b) require, in part, that the licensee post current copies of Part 19, Part 20, the license, license conditions, documents incorporated into the license, license amendments and operating procedures or that the licensee post a notice describing these documents and where they may be examined.

- (1) Same as Violation A (1)
- (2) Our license and license conditions are posted in our lab. The violation we received from you is also posted. Our amendment to our license will be posted as soon as we receive it back.
- (3) Same as Violation A (3)
- (4) The day we receive our amendment to our license will be the day of full compliance.

Sincerely,



Gene Harris
President

GH/sk

cc: U.S. Nuclear Regulatory Commission
Regional Administrator, Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, Texas 76011