

NOTICE OF VIOLATION

Professional Welding  
Associates, Inc.  
Kewaunee, WI 54216

License No. 48-25806-01  
Docket No. 030-30094

During an NRC inspection conducted on March 14, 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 states, in part, that a general license to transport licensed material, or to deliver licensed material to a carrier for transport, applies only to a licensee who has a quality assurance program approved by the Commission as satisfying the provisions of subpart H of 10 CFR Part 71; has a copy of the specific license, certificate of compliance, or other approval of the package; and submits in writing to NRC, prior to the first use of the transport package, the licensee's name, license number, and package identification number.

Contrary to the above, as of March 14, 1994, the licensee routinely transported licensed material under the general license pursuant to 10 CFR 71.12, and the licensee had not submitted in writing to NRC prior to the first use of the transport package the licensee's name, license number, and package identification number.

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 173.475 requires, in part, that before each shipment of any radioactive materials package, the shipper ensure by examination or appropriate test that the external radiation and contamination levels are within the allowable limits specified in 49 CFR Parts 171-177.

Contrary to the above, as of March 14, 1994, the licensee transported outside the confines of its plant packages of radioactive materials without ensuring by examination or appropriate test that external radiation levels were within allowable limits.

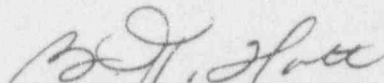
This is a Severity Level IV violation (Supplement V).

Pursuant to the provisions of 10 CFR 2.201, Professional Welding Associates, 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 31 1994

Dated \_\_\_\_\_

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