

Gibbons

WISCONSIN INDUSTRIAL TESTING, INC.

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FAA Repair Station JX5R978M

March 11, 1994

U. S. Nuclear Regulatory Commission
Region III
801 Warrenville Road
Lisle, IL 60532-4351

ATTN: B.J. Holt

RE: Reply to a Notice of Violation

Dear Ms. Holt,

This letter is being sent in response to violations that was brought to W.I.T.'s attention during a routine inspection conducted by Mr. D.R. Gibbons on February 16, 1994. Please find below the description of the violation, followed by W.I.T.'s response.

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 moved.

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

Response: W.I.T.'s safety staff was unaware that some of our USA/6717/B(U) shipping containers were missing the 1-1/2 inch thick molded asbestos, and/or the molded polyurethane filler used to position and secure the radiographic device. These pieces were apparently removed by radiographers who were unaware of this regulation and felt that it was much easier to load/unload the exposure device into/out of the drums without these pieces. W.I.T. has received from Amersham enough of the above mentioned pieces to bring five of the USA/6717/B(U) shipping containers into full compliance. W.I.T. will also tag and take out of service any other USA/6717/B(U) shipping containers that do not meet the certificate of compliance for this Type B container. This violation has been discussed at recent company meetings, and a memo has been posted on all company

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safety bulletin boards. W.I.T.'s safety staff will check these shipping containers during all safety audits to assure compliance. The first five shipping containers will be in compliance by April 1, 1994, and the remainder by January 1, 1995, or before if they are needed.

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 in 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).

Response: W.I.T.'s safety staff was unaware that convenience overpacks used to transport a properly labeled Type B exposure device from the storage vault to the temporary job site and back, were to have this information of the overpack. All of these convenience overpacks will have their labels changed to include:

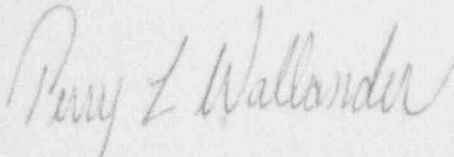
"Radioactive Material, Special Form, NOS, RQ, UN2974"

Full compliance is expected by April 1, 1994. This violation has been discussed at recent company safety meetings, and a memo has been posted on all company safety bulletin boards. W.I.T.'s safety staff will check these overpacks during all safety audits to assure compliance.

If I can be of any further assistance, please feel free to contact me at our Brookfield Office.

Sincerely,

W.I.T., INC.



Terry Wallander
Assistant Radiation Safety Officer

TW/tlm