

MAR 28 1994

Docket No. 030-29016
License No. 47-24816-01

Dal-Tex Coal Corporation
ATTN: Allen Workman
President
P. O. Box D
Sharples, West Virginia 25183

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NO. 47-24816-01/94-01)

This refers to the inspection conducted by Mr. M. Fuller of this office on March 16, 1994. The inspection included a review of activities authorized for your Sharples, West Virginia facility. At the conclusion of the inspection, the findings were discussed with Mr. John McDaniel, Director of Engineering and Radiation Protection Officer.

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, the inspector identified activities that violated NRC requirements that will not be subject to enforcement action because the licensee's efforts in identifying and/or correcting the violation meet the criteria specified in Section VII.B of the Enforcement Policy. The non-cited violation is failure to post documents as required by 10 CFR 19.11 and 21.6. These items were discussed with Mr. McDaniel during the meeting at the conclusion of the inspection.

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.

9404110091 940328
PDR ADOCK 03029016
C PDR

080060

JE07/11

IE09

MAR 28 1994

Dal-Tex Coal Corporation

2

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,

ORIGINAL SIGNED BY
DOUGLAS M. COLLINS

Douglas M. Collins, Chief
Nuclear Materials Safety and
Safeguards Branch
Division of Radiation Safety
and Safeguards

Enclosure:
Notice of Violation

cc w/encl:
State of West Virginia

bcc w/encl:
Document Control Desk
RII Docket File, DRSS

RII:DRSS
AJones
3/23/94

RII:DRSS
MLFuller
3/24/94
MF

RII:DRSS
CHosey
3/24/94
24