

## APPENDIX A

### NOTICE OF VIOLATION

Thermo Environmental Instruments, Inc.  
Franklin, Massachusetts 02038

Docket No. 030-29253  
License No. 20-27837-01

During an inspection conducted on March 15, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

10 CFR 20.301(a) requires, in part, that no licensee dispose of licensed material except by transfer to an authorized recipient as provided in the regulations in 10 CFR Parts 30 and 61.

Contrary to the above, in November 1990, the licensee disposed of licensed material by transfer to an unauthorized recipient. Specifically, a glove box contaminated with measurable quantities of tritium (i.e., maximum removable contamination measurement [1.9 +/- 0.1] E+5 disintegrations per minute) was transferred to a waste broker and buried in a landfill not licensed for the burial of radioactive waste.

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

Pursuant to the provisions of 10 CFR 2.201, Thermo Environmental Instruments, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within thirty 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 to show cause 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.

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