

DOS

NOV 28 1990

Docket No. 030-17472

License No. 37-19350-01

New Enterprise Stone and Lime Company, Inc.
ATTN: Paul Detwiler
President
P.O. Box 77
New Enterprise, Pennsylvania 16664

Gentlemen:

Subject: Routine Inspection No. 030-17472/90-001

On November 7 and 8, 1990, Judith Joustra and Mary Cahill of this office conducted a routine safety inspection at Route 36, Roaring Spring, Pennsylvania of activities authorized by the above listed NRC license. The findings of the inspection were discussed with Lon Reffner and other members of your staff at the conclusion of the inspection.

During the discussion of our findings at the conclusion of the inspection on November 8, 1990, Ms. Joustra expressed our concern regarding oversight of your radiation safety program by your Radiation Safety Officer (RSO). Ms. Joustra emphasized the need for the RSO to oversee your licensed activities. He may, however, delegate some day to day responsibilities, but he must maintain oversight to assure that requirements of license conditions and regulations are being met. In your response to this letter please describe what action has been taken or is planned to improve oversight, by your RSO, of your licensed program.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed as Appendix A and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy). You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

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New Enterprise Stone and Lime
Company, Inc.

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Your cooperation with us is appreciated.

Sincerely,

ORIGINAL SIGNED BY:
JOHN R. WHITE

John R. White, Chief
Nuclear Materials Safety Section C
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix A, Notice of Violation

cc:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Pennsylvania
Lon Reffner, Radiation Safety Officer

bcc:
Region I Docket Room (w/concurrences)
Management Assistant, DRMA
M. Cahill, RI

RI:DRSS w
Joustra/bj

RI:DRSS
Cahill

RI:DRSS
White

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