

APPENDIX A

NOTICE OF VIOLATION

New Enterprise Stone and Lime Company, Inc.
New Enterprise, Pennsylvania 16664

Docket No. 030-17472
License No. 37-19350-01

As a result of the inspection conducted on November 7 and 8, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1990), the following violations were identified:

- A. Condition No. 13 of License No. 37-19350-01 requires that sealed sources be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as are specified by the certificate of registration, not exceeding 3 years.

Contrary to the above, as of November 8, 1990, sealed sources were not tested for leakage and/or contamination at intervals not to exceed 6 months, as specified by the certificate of registration. Specifically, leak tests of two Troxler gauges (Model 4640, Serial nos. 17183 and 13190) purchased in 1989 had not been tested for leakage and/or contamination as required.

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

- B. Condition No. 15 of License No. 37-19350-01 requires that the licensee conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license and that records of inventories be maintained for 3 years from the date of each inventory.

Contrary to the above, as of November 8, 1990 the licensee did not maintain records of physical inventories for all sources and/or devices received and possessed under the license.

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

Pursuant to the provisions of 10 CFR 2.201, New Enterprise Stone and Lime Company, Inc. is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.

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