

APPENDIX A

NOTICE OF VIOLATION

Bates College  
Lewiston, Maine 04240

Docket Nos. 030-00742  
070-01297  
License Nos. 18-01703-03  
SNM-1266

As a result of the inspection conducted on June 21, 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 11.A. of License No. 18-01703-03 requires that licensed material be used by, or under the supervision and in the physical presence of named individuals.

Contrary to the above, as of June 21, 1990, Thomas Lawson, an individual not named on the license, was using licensed material (sulfur-35 and hydrogen-3) in his laboratory located in Dana Hall, Room 118 while not in the physical presence of a named individual.

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

- B. Condition 10 of License No. 18-01703-03 requires that licensed material be used only at the Carnegie Science Building at Bates College, College Street at Nichols, Lewiston, Maine.

Contrary to the above, as of June 21, 1990, licensed material was used at a facility other than the Carnegie Science Building. Specifically, licensed material was routinely being used in Dr. Lawson's laboratory in Dana Hall at Bates College.

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

- C. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with all sections of Part 20. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to the above, as of June 21, 1990, surveys were not made to assure compliance with 10 CFR 20.301, Waste Disposal, General Requirement. Specifically, a refrigerator used to store radioactive material was disposed of without an evaluation to determine the possible presence of radioactive contamination.

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

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- D. Condition 13(a)(1) of License No. SNM-1266 requires, in part, that sealed sources containing licensed material be tested for leakage and/or contamination at intervals not to exceed six months.

Contrary to the above, as of June 21, 1990, a sealed source containing licensed material was not tested for leakage and/or contamination at intervals not to exceed six months. Specifically, a plutonium-beryllium sealed source had not been leak-tested since 1987.

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

- E. Condition 14 of License No. 18-01703-03 requires that the licensee conduct a physical inventory every six months to account for all sources and/or devices received and possessed under the license.

Contrary to the above, as of June 21, 1990, a physical inventory had not been conducted every six months to account for all sources and/or devices received and possessed under the license. Specifically, the physical inventory had not been conducted since November 10, 1983.

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

- F. 10 CFR 19.11(a) and (b) require that current copies of Part 19, Part 20, the license, license conditions, documents incorporated into the license, license amendments and operating procedures be posted, or that a notice describing these documents and where they may be examined, be posted. 10 CFR 19.11(c) requires that Form NRC-3, "Notice to Employees", be posted.

Contrary to the above, on June 21, 1990, neither the documents nor the notices were posted.

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

Pursuant to the provisions of 10 CFR 2.201, Bates College 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.