

NOTICE OF VIOLATION

Midwest Engineering Services, Inc.
Waukesha, Wisconsin

License No. 48-26074-01
Docket No. 030-31357

During an NRC inspection conducted on March 25, 1994, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

1. 10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in unrestricted areas. 10 CFR 20.1901 requires that the licensee control and maintain constant surveillance of licensed material that is in an unrestricted area and that is not in storage. As defined in 10 CFR 20.1003, unrestricted area means an area, access to which is neither limited nor controlled by the licensee.

Contrary to the above, on March 25, 1994, the licensee did not secure from unauthorized removal or limit access to portable gauges containing ten millicuries of cesium-137 and fifty millicuries of americium-241 located in an unlocked vehicle and an unlocked storage bin, unrestricted areas, nor did the licensee control and maintain constant surveillance of this licensed material.

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

2. Condition 11. A. of License No. 48-26074-01 requires that the licensee maintain records of the individuals who have been designated as authorized users.

Contrary to the above, as of March 25, 1994, the licensee did not maintain records of all individuals designated as authorized users.

This is a repeat violation.

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


Pursuant to the provisions of 10 CFR 2.201, Midwest Engineering Services, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois, 60532-4351, within 30 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

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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 demand for information may be issued as to 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.

APR 15 1994

Dated _____



B. J. Holt, Chief
Nuclear Materials Inspection
Section 1