

DEC 07 1990

ENCLOSURE

NOTICE OF VIOLATION

P. R. Aqueduct and Sewer Authority
Santurce, Puerto Rico

Docket No. 030-28807
License No. 52-19291-02

During an NRC inspection conducted on October 17, 1990 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 (1990), the violations are listed below:

- A. 10 CFR 30.3 requires in part, that except for persons exempt, no person shall possess or use byproduct material except as authorized by a specific or general license issued pursuant to Title 10, Chapter 1, Code of Federal Regulations.

10 CFR 30.36 requires that no less than 30 days before the expiration date specified in a specific license, the licensee shall either: (1) submit an application for license renewal under §30.37; or (2) notify the Commission, in writing under §30.6, if the licensee decides not to renew the license.

If a licensee does not submit an application for license renewal under §30.37, the licensee on or before the expiration date specified in the license: (1) terminate use of byproduct material; (2) remove radioactive contamination to the extent practicable; (3) properly dispose of byproduct material; (4) submit a completed form NRC-314; and (5) submit a radiation survey report.

Contrary to the above, the license expired on August 31, 1990, and no application for renewal, notice on non-renewal, or other transfer, disposal, or survey records has been received by the NRC.

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

- B. License Condition 12 requires that Licensed material shall be used by, or under the supervision of Luis Del Valle.

Contrary to the above, Luis Del Valle has not been employed at the authorized place of use for approximately four years.

This is a Severity Level IV violation (Supplement VI)

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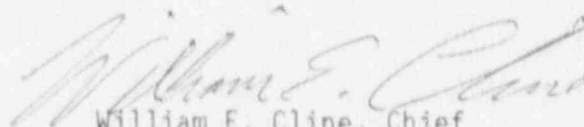
- C. License Condition 16 requires that the licensee conduct a physical inventory for all sources received and possessed under the license. In addition, a record of inventory shall be maintained for two years from the date of the inventory.

Contrary to the above, inventories have not been performed by the licensee for at least the past four years.

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

Pursuant to the provisions of 10 CFR 2.201, P. R. Aqueduct and Sewer Authority 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 II, 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 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 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.

FOR THE NUCLEAR REGULATORY COMMISSION



William E. Cline, Chief
Nuclear Materials Safety and
Safeguards Branch
Division of Radiation Safety
and Safeguards

Dated at Atlanta, Georgia
this 7th day of December 1990