

NOTICE OF VIOLATION

Ramsey County Public Works Department
Shoreview, Minnesota

Docket No. 030-21042
License No. 22-23412-01

As a result of the inspection conducted on December 11, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1989) (Enforcement Policy) the following violations were identified:

1. License Condition 19. states that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in certain referenced documents.

Item 15. of the February 28, 1989, referenced document, states that the Radiation Safety Officer will assure that all terms and conditions of the license are being met.

Contrary to the above, since approximately February 1989, the Radiation Safety Officer has not assured that the terms and conditions of the license are being met.

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

2. License Condition 19. states that the licensee shall conduct its program in accordance with the statements, representations and procedures contained in certain referenced documents.

Item 15. of the February 28, 1989, referenced document states in Item II.A. 2, that the gauge will be transported in the Troxler transportation case.

Contrary to the above, since approximately February 1989, the license has not transported its gauge in the Troxler transportation case.

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

3. 10 CFR 71.5(a) states that each licensee who transports licensed material outside of its plant or other place of use, shall comply with the applicable requirements of the regulations appropriate to the mode of transport of DOT in 49 CFR Parts 170 through 189.

49 CFR 177.817(a) requires that a carrier may only transport a hazardous material if it is accompanied by a shipping paper prepared in accordance with 172.200, 172.201 and 172.203 of this subchapter.

Contrary to the above, since approximately March 1989 the licensee has transported their Troxler moisture density gauge without shipping papers.

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

4. License Condition 13.A. of license dated April 26, 1989 requires the licensee to leak test sealed sources at intervals not to exceed 6 months.

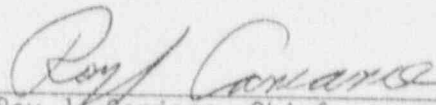
Contrary to the above, the licensee failed to test their Troxler gauge containing sealed sources between February 6, 1986 and January 5, 1987 and between January 25, 1988 and January 12, 1989; intervals which exceed 6 months.

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

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

DEC 27 1990

Dated _____



Roy J. Caniano, Chief
Nuclear Materials Safety
Section 2