

Appendix

NOTICE OF VIOLATION

30-18168

Ciorba Group Incorporated

License No. 12-20264-01

As a result of the inspection conducted on November 3 and 4, 1982, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified:

1. License Condition No. 18 requires that all licensed material be possessed and used in accordance with statements, representations and procedures contained in application dated February 1, 1982.

The license application dated February 1, 1982, names Edward P. Paska as the radiation protection officer.

Contrary to this requirement, the individual designated as the radiation protection officer was changed and you failed to amend your license to show this change.

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

2. 10 CFR 71.5(a) requires that no licensee shall transport any licensed material outside of the confines of his plant or other place of use unless the licensee complies with the applicable regulations of the Department of Transportation in 49 CFR Parts 170-189.

- (a) 49 CFR 173.394(a) states that Type A quantities of special form radioactive material must be packaged in Specification 7A Type A general packaging.

Contrary to this requirement, it was learned through statements of licensee representatives that the Troxler Model 3411B surface moisture density gauge (containing 40 millicuries of americium-241 and 8 millicuries of cesium-137) was not always transported in Specification 7A, Type A packaging.

- (b) 49 CFR 173.394(a)(1) states that each shipper of a Specification 7A packaging must maintain on File a complete certification and supporting safety analysis demonstrating that the construction methods, packaging design, and materials of construction are in compliance with the specification.

Contrary to this requirement, you failed to maintain on File a complete certification and the supporting safety analysis for the packaging used to ship your gauge.

- c. 49 CFR 177.217 states that a carrier may not transport a hazardous material unless it is accompanied by a shipping paper that is prepared in accordance with the regulations.

Contrary to this requirement, it was learned through statements of licensee representatives, that shipping papers were not always prepared when the gauge was transported to job sites.

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

3. License Condition No. 18 requires that all licensed material be possessed and used in accordance with statements, representations and procedures contained in application dated February 1, 1982.

The license application dated February 1, 1982, states that personnel exposure reports are kept and reviewed periodically for compliance.

Contrary to this requirement, personnel exposure reports were not kept from June 1982, to September 1982.

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

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 item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

11/15/82  
Dated

*Robert E. Burgin*

*for*

D. G. Wiedeman, Chief  
Materials Radiation Protection  
Section 1