

APPENDIX A

NOTICE OF VIOLATION

Testwell Craig Laboratories
of Connecticut, Inc.
Danbury, Connecticut 06813

Doc# No. 030-19151
License No. 06-19720-01

As a result of the inspection conducted on January 16, 1991, 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. 10 CFR 20.207(b) requires that licensed materials in an unrestricted area and not in storage be tended under the constant surveillance and immediate control of the licensee. As defined in 10 CFR 20.3(a)(17), an unrestricted area is any area access to which is not controlled by the licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

Contrary to the above, on October 3, 1990, licensed material in an unrestricted area and not in storage was not tended under the constant surveillance and immediate control of the licensee. Specifically, on the above date, a Troxler Model 3411(b) portable moisture density gauge was left unattended at a construction site in Ridgefield, Connecticut, resulting in damage to the gauge by a bulldozer.

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

- B. 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, on October 3, 1990, surveys were not made to assure compliance with that part of 10 CFR 20.101 that limits radiation exposure to the whole body. Specifically, on the above date, a damaged portable nuclear density gauge containing not more than 10 millicuries of cesium-137 and 50 millicuries of americium-241, was removed from a construction site by the licensee without first surveying the gauge to determine the integrity of the gauge shield and sealed source encapsulation.

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

Pursuant to the provisions of 10 CFR 2.201, Testwell Craig Laboratories of Connecticut, Inc. 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.

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