

FEB 14 1994

Docket No. 030-33177  
License No. 47-25252-01

North Fork Landfill, Inc.  
ATTN: Robert Rohrig  
Managing Partner  
P.O. Box 4094  
Wheeling, West Virginia 26003

Gentlemen:

SUBJECT: NOTICE OF VIOLATION  
(NRC INSPECTION REPORT NO. 47-25252-01/94-01)

This refers to the inspection conducted by Mr. J. Mumper of this office on January 24, 1994. The inspection included a review of activities authorized for your Wheeling, West Virginia facility. At the conclusion of the inspection, the findings were discussed with you.

The inspection was an examination of activities conducted under your license with respect to radiation safety and compliance with NRC regulations and the conditions of your license. It included selective examinations of procedures and representative records, interviews with personnel, and direct observations by the inspector.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). The violations are of concern because the licensee failed to control access to radioactive material from members of the general public. The NRC expects the licensee to recognize the potential hazards of storing radioactive material in an unrestricted area and to ensure the safety of members of the general public. In addition, the inspector identified activities that violated NRC requirements that will not be subject to enforcement action because the licensee's efforts in identifying and/or correcting the violation meet the criteria specified in Section VII.B of the Enforcement Policy. The non-cited violation is a failure to post required documents. This item was discussed with you during the meeting at the conclusion of the inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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North Fork Landfill, Inc.

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In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and any reply will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

ORIGINAL SIGNED BY  
DOUGLAS M. COLLINS

Douglas M. Collins, Chief  
Nuclear Materials Safety and  
Safeguards Branch  
Division of Radiation Safety  
and Safeguards

Enclosure:  
Notice of Violation

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