

APPENDIX A

NOTICE OF VIOLATION

North American Inspection, Inc.  
Whitehall, Pennsylvania

Docket No. 030-20982  
License No. 37-23370-01

During NRC inspections conducted on September 1 and 3, 1993, March 23, 1994; April 1 and 8, 1994, 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, the violations are listed below:

- A. 10 CFR 34.33(f) (4) requires that each alarm ratemeter be calibrated at intervals not to exceed one year for correct response to radiation.

Contrary to the above on September 1, 1993, a radiographer was observed wearing an alarm ratemeter that had not been calibrated at an interval not to exceed one year. Specifically, the alarm ratemeter worn by the radiographer was due for calibration on August 27, 1993.

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

- B. 10 CFR 71.5 (a) requires that a licensee who transports licensed material outside of the confines of its plant, or other places of use, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Part 170 through 189 as shown below:

1. 49 CFR 172.201(d) requires that a shipping paper contain an emergency response telephone number as prescribed in Subpart G of 49 CFR Part 172.

49 CFR 172.202(a) and (b) requires, in part, with exceptions not applicable here, that the shipping description of a hazardous material on the shipping paper include in the following sequence: (1) the proper shipping name prescribed for the material in 172.101 or 172.102; (2) the hazard class; and (3) the identification number. Pursuant to 49 CFR 172.101, radioactive material is classified as hazardous material.

49 CFR 172.203(c) requires that the letters "RQ" be entered on the shipping paper either before or after the basic description required for each hazardous substance. Pursuant to 49 CFR 172.101, radioactive material is classified as hazardous material.

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49 CFR 172.203(d) requires, in part, that the description for a shipment of radioactive material include the physical and chemical form of the material.

Contrary to the above on September 1, 1993, the licensee transported radioactive material outside the confines of its plant and the description on the shipping paper that accompanied the shipment did not include the proper (1) emergency telephone number; (2) shipping name, identification number; (3) the letters "RQ" and (4) a description of the physical form.

2. 49 CFR 173.25 requires, in part, packages containing hazardous materials and offered for transportation in an overpack, that: (1) the overpack be marked with the proper shipping name and identification number, and labeled as required by 49 CFR Parts 171-177 for each hazardous material contained, therein, unless markings and labels representative of each hazardous material in the overpack are visible; and (2) the overpack be marked with a statement indicating that the inside (inner) packages comply with prescribed specifications when specification packaging are required, unless specification markings on the inside packages are visible. Pursuant to 49 CFR 172.101, radioactive material is classified as hazardous material.

49 CFR 172.324(b) requires the letters "RQ" be marked on the package in association with the proper shipping name.

Contrary to the above on September 1, 1993, the licensee offered radioactive material for transportation in an overpack that was not marked with the letters "RQ", or with any statement indicating that the inner package complied with the prescribed specifications, and the markings on the inside package were not visible.

These are aggregated as a single Severity Level IV violation (Supplement V).

- C. 10 CFR 34.30(a) requires the licensee to provide a written report to the U.S. Nuclear Regulatory Commission, Division of Industrial and Medical Nuclear Safety, Medical, Academic and Commercial Use Safety Branch, Washington DC 20555, with a copy to the Director, Office for Analysis and Evaluation of Operational Data, U.S. Nuclear Regulatory Commission, Washington, DC 20555, within 30 days of the occurrence of any of the following incidents involving radiographic equipment.

1. Unintentional disconnection of the source assembly from the control cable.

Contrary to the above on July 29, 1993, an unintentional disconnection of the source assembly from the control cable occurred at a Coudersport,

Pennsylvania radiography field site and the licensee did not provide a written report to the U.S. Nuclear Regulatory Commission.

2. Inability to retract the source assembly to its fully shielded position and secure it in this position.

Contrary to the above on November 3, 1993, a radiographer working at a Southeastern Washington, DC field site was unable to retract the source assembly to its fully-shielded position and secure it in this position. The licensee did not provide a written report to the U.S. Nuclear Regulatory Commission.

These are aggregated as a single Severity Level V violation. (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, North American Inspection, Inc. 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 I, 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 or a Demand for Information 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.