

ENCLOSURE 1

NOTICE OF VIOLATION

West Virginia University
Morgantown, West Virginia

Docket No. 030-20199
License No. 47-23035-01

During an NRC inspection conducted on April 26-27, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas.

Contrary to the above, on April 27, 1994 the licensee did not secure from unauthorized removal or limit access to approximately 1.5 millicuries of sulphur-35 waste located in laboratory 107 at Brooks Hall an unrestricted area, nor did the licensee control and maintain constant surveillance of this licensed material.

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

Pursuant to the provisions of 10 CFR 2.201, West Virginia University is hereby required to submit a written statement or explanation to the Regional Administrator, Region II, with a copy to U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 the 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: (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 Demand for Information may be issued as to 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.

Dated at Atlanta, Georgia
this 16th day of May 1994

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