

Appendix

NOTICE OF VIOLATION

The France Stone Company

License No. 34-20146-01

As a result of the inspection conducted on February 15, 1983, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified:

1. 10 CFR 20.105(b) requires that no licensee shall possess or use licensed material in such a manner as to create in any unrestricted area radiation levels which, if an individual were continuously present in the area, could result in his receiving a dose in excess of two millirems in any one hour.

Contrary to this requirement, on February 15, 1983, the day of the inspection, radiation level measurements in unrestricted areas adjacent to, and under your C18 conveyor showed a maximum radiation level of ten millirems per hour due to the cesium-137 source in a source holder located above the conveyor belt.

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

2. Condition 17 of your license requires that you possess and use licensed material in accordance with statements, representations, and procedures contained in application dated April 20, 1981.

In the description of your Radiation Protection Program, which was submitted with the above application, it states that (a) if the belt is to be shut down for any extended period of time, the radiation safety officer will be notified to insure that the shutter is locked in the CLOSED position and remains locked during this period of time, and (b) signs displaying "Caution Radiation" and the standard symbol and stating that the shutter must be CLOSED and the radiation safety officer notified prior to entering the area when working near the gauge will be posted at installation.

Contrary to the above, on February 15, 1983, the shutters on your two source holders, each containing approximately 200 millicuries of cesium-137, were not in the CLOSED position and the C6 and C18 conveyor belts had been shut down since about the middle of December 1982; also, there were no signs with the information described in (b) above posted in the area of the installed source holders.

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

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3. Condition 15 of your license requires that you test your sealed sources containing byproduct material for leakage and/or contamination at intervals not to exceed six months.

Contrary to this requirement, as of February 15, 1983, you had not tested your two sealed sources containing approximately 200 millicuries of cesium-137 each (Serial Nos. MB-1164 and MB-1176) for leakage and/or contamination since you received them in June 1981, an interval of more than six months.

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

4. Condition 16 of your license requires that you conduct a physical inventory every six months to account for all sealed sources received and possessed under the license; records of the inventories are to be maintained for inspection by the Commission.

Contrary to this requirement, as of February 15, 1983, you had not conducted any physical inventory as yet to account for all sealed sources received and possessed under this license.

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.

3/16/83
Dated

ORIGINAL SIGNED BY
JAMES R. MILLER

J. R. Miller, Chief
Materials and Safeguards Branch