

NOTICE OF VIOLATION

Magna-Chek, Inc.
Warren, Michigan 48091

Docket No. 030-18632
License No. 21-19111-02

As a result of the inspection conducted on November 16 through December 4, 1990 and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1990) (Enforcement Policy) the following violation was identified:

License Condition No. 15 requires the licensee to transport licensed materials or deliver licensed material to a carrier for transport in accordance with the provisions of Title 10, Code of Federal Regulations, Part 71. 10 CFR 71.5(a) requires, in part, that the licensee comply with applicable requirements of the Department of Transportation in 49 CFR Parts 170-189.

49 CFR 177.817(a) provides that a carrier may not transport a hazardous material unless it is accompanied by a shipping paper that is prepared in accordance with Sections 172.201, 172.202, and 172.203 of Subchapter C.

Contrary to the above, since the date of previous inspection on October 26, 1989, the licensee routinely transported hazardous licensed material that was not accompanied by shipping papers. Specifically, on September 6, 1990 and September 7, 1990, among other dates, the licensee transported Camera No. 2333 containing 60 curies of iridium-192 and in each case it was not accompanied by shipping papers.

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 violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

JAN 4 1991

Dated _____

William H. Schultz /*sov*
Roy J. Caniano, Chief
Nuclear Materials Safety
Section 2

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