

Appendix

NOTICE OF VIOLATION

Marquette Board of Light and Power

License No. 21-20174-01

As a result of the inspection conducted on September 23, 1982, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified:

1. License Condition No. 7 and 9 authorized the possession and use of sealed sources manufactured by Texas Nuclear and Kay-Ray for use in models 5192 and 7062P source holders.

Contrary to the above, an Ohmart 50 mCi cesium-137 sealed source and source holder model SH-100 were received in October 1982 and possessed. They are not authorized by your license.

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

2. 10 CFR 30.51(a) states, each person who receives byproduct material pursuant to a license issued pursuant to the regulations in this part and Parts 31 through 35 of this chapter shall keep records showing the receipt, transfer, and disposal of such byproduct material.

Contrary to the above, records of receipt have not been maintained for four Texas Nuclear gauges, serial numbers B3161 through B3164, stated to have been received approximately October 1981. In addition, records of receipt have not been maintained for four Kay-Ray gauges serial numbers 12332 through 12335 stated to have been received in August 1982.

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

3. License Condition No. 15 states, the licensee shall conduct a physical inventory every six (6) months to account for all sealed sources received and possessed under the license. The records of the inventories shall be maintained for two (2) years from the date of the inventory for inspection by the Commission, and shall include the quantities and kinds of byproduct material, location of sealed sources, and the date of the inventory.

Contrary to the above, records were not maintained of inventories stated to have been made in May 1982 of four Texas Nuclear gauges.

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.

12/2/82
Dated

D. J. Srenawski
D. J. Srenawski, Chief
Materials Radiation Protection
Section 2