

APPENDIX A

NOTICE OF VIOLATION

Ion Track Instruments, Inc.
Wilmington, Massachusetts 01887

Docket No. 030-09270
License No. 20-15525-02E

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:

Condition 10 of License No. 20-15525-02E limits the distribution of gas and aerosol devices to persons exempt from the requirement of a license, to the device models and quantities specified in this condition.

Contrary to the above, as of February 9, 1994, one model Vixen (97A), a device model not listed in Condition 10 as one which is approved for distribution to persons who are exempt from the requirements of a license, was distributed to a person who is not authorized by a specific license to possess the material.

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

Pursuant to the provisions of 10 CFR 2.201, Ion Track Instruments, 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.

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