

TE-07
PUBLIC

Northeastern Road Improvement
Company
ATTN: Lyle Daniels
President
38700 Pelton Road
Willoughby, OH 44094

SEP 10 1994

License No. 34-26147-01
Docket No. 030-31539

Dear Mr. Daniels:

This refers to letters dated June 13, 1994 and June 24, 1994, and the telephone conference between Mitch Daniels of your staff and Bob Gattone of my staff on July 7, 1994, regarding proper response to letter dated June 8, 1994, transmitting a Notice of Violation (Notice).

The letters dated June 13, 1994 and June 24, 1994, do not contain all of the information required pursuant to 10 CFR 2.201. Specifically, the response to violation 1 does not 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. The response to violation 2 does not include: (1) the reason for the violation, or, if contested, the basis for disputing the violation, and (2) the date when full compliance will be achieved. The response to violation 3 does not include: (1) the reason for the violation, or, if contested, the basis for disputing the violation, and (2) the date when full compliance will be achieved.

Therefore, we request the required information within 15 days of the date of this letter. Failure to submit the required information by the due date may result in additional enforcement action.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

Original Signed by B. J. Holt

B. J. Holt, Chief
Nuclear Materials Inspection
Section 1

Enclosures:

- 1. Notice of Violation
dated 06/08/94
- 2. 10 CFR Part 2

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PDR ADDCK 03031539
C PDR

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GG
Gattone/bt
09/8/94

RIII
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Holt
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NOTICE OF VIOLATION

Northeastern Road Improvement
Company
Willoughby, Ohio

License No. 34-26147-01
Docket No. 030-31539

During an NRC inspection conducted on April 21, 1994, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

1. Condition 20. of License No. 34-26147-01 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in an application dated February 13, 1990.

Item 9 of application dated February 13, 1990 titled, "Facilities and Equipment," requires that licensed material be stored inside a storage box within a designated laboratory.

Contrary to the above, as of April 21, 1994, the licensee failed to store licensed material inside the storage box within the designated laboratory.

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

2. Condition 13. of License No. 34-26147-01 requires, in part, that sealed sources containing byproduct material be tested for leakage and/or contamination at intervals not to exceed six months.

Contrary to the above, between April 9, 1990 and May 17, 1994, sealed sources containing 100 millicuries of americium-241 had only been leak tested on August 2, 1993 and April 24, 1994.

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

3. Condition 12. of License No. 34-26147-01 requires that gauge users wear a thermoluminescent dosimeter, exchanged on a monthly basis, while working with the gauges.

Contrary to the above, between April 9, 1990 and January 1, 1991, some gauge users failed to wear a thermoluminescent dosimeter, exchanged on a monthly basis, while working with the gauges.

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

Pursuant to the provisions of 10 CFR 2.201, Northeastern Road Improvement Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenton Road, Lisle, Illinois, 60532-4351, 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:

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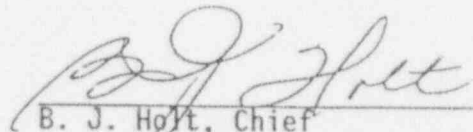
Notice of Violation

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(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.

JUN 8 1994

Dated _____



B. J. Hoyt, Chief
Nuclear Materials Inspection
Section 1