

APPENDIX A

NOTICE OF VIOLATION

NexTran, Inc. (formerly DNX, Inc.)  
Princeton, New Jersey 08540

Docket No. 030-31141  
License No. 29-23754-01

During an NRC inspection conducted on September 15, 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:

- A. Condition 14 of License No. 29-23754-01 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in the Licensee's application dated April 28, 1989.

Item 6 on page 6 of the DNX Radiation safety Guide attached to the application requires work areas where radionuclides are used or stored will be surveyed monthly using survey meters and the method of wipes.

Contrary to the above, work areas where radionuclides are used or stored were not surveyed monthly using survey meters and the method of wipes. Specifically, surveys of the radioactive waste room have never been performed.

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

- B. Condition 14 of License No. 29-23754-01 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in the Licensee's application dated April 28, 1989.

Appendix G1 of the DNX Radiation Safety Training Package requires, in part, that survey records include follow-up actions taken if contamination is found.

Contrary to the above, on September 15, 1994, survey records did not include follow-up actions when contamination was found. Specifically, there was no records of follow-up actions taken when contamination was found on several occasions in the new hot laboratory on June 27, 1994 and July 7, 1994.

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

OFFICIAL RECORD COPY

9411300123 941109  
PDR ADUCK 03031141  
C PDR

RETURN ORIGINAL TO IE:07  
REGION I

- C. Condition 14 of License No. 29-23754-01 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in the Licensee's application dated April 28, 1989.

Items 9E through 9G of the application states that licensed material will be used and stored in the isotope lab (room 17), main lab (room 28), waste storage room (room 31), and the cell culture lab (room 27).

Contrary to the above, as of September 15, 1994, licensed material was used and stored in areas other than those specified in the license application. Specifically, licensed material was used and stored in new laboratory space (room 115), an area not authorized by the NRC.

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

- D. 10 CFR 20.1906(b) and (c) require that each licensee monitor the external surfaces of a package labeled with a Radioactive White I, Yellow II, or Yellow III label for radioactive contamination and radiation levels not later than three hours after receipt of the package during the licensee's normal working hours, or not later than three hours from the beginning of the next working day if it is received after working hours.

1. Contrary to the above, on 9/10/94, 8/30/94, 8/8/94, 7/25/94, 7/18/94, 5/16/94, 2/17/94, 2/9/94, 2/4/94, 10/23/93, 10/15/93, 9/17/93, 8/20/93 and various other dates, the licensee received packages labeled with Radioactive White I and Yellow II labels, and the licensee did not monitor the package for radioactive contamination.
2. Contrary to the above, on 8/30/94, 5/16/94, 2/4/94, 10/11/93, 9/17/93, 7/31/93 and various other dates, the licensee received packages labeled with Radioactive White I and Yellow II labels, and the licensee did not monitor the package for radiation levels.
3. Contrary to the above, on 5/16/94 and 2/17/94, the licensee received packages labeled with a Radioactive White I (50  $\mu$ Ci of I-125) or Yellow II label (1 mCi of P-32), and the licensee did not monitor the packages for radioactive contamination and radiation levels within three hours after receipt and/or from the beginning of the next working day. Specifically, the licensee did not monitor the P-32 package at all and the I-125 package was monitored for radiation levels 3 months later.

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

- E. Condition 14 of License No. 29-23754-01 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in the licensee's application dated April 28, 1989.

Item 9 of the application requires that calibration of survey and monitor meters are done twice a year.

Contrary to the above, as of September 15, 1994, calibration of survey meters are not done twice a year. Specifically, two survey meters (serial numbers 67279 and 96939) were found in the laboratories and were last calibrated on 2/20/92 and 11/11/92 respectively. This is a repeat violation.

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

- F. 10 CFR 20.1902(e) requires that the licensee post each area or room in which certain amounts of licensed material, specified in §20.1902(e), are used or stored, with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)."

Contrary to the above, on September 15, 1994, the licensee did not post each area or room in which certain amounts of licensed material, specified in §20.1902(e), are used or stored, with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)." Specifically, the restricted laboratories including the waste room were posted with a conspicuous sign bearing the radiation symbol and the words "CAUTION, RADIATION AREA." This is a repeat violation.

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

Pursuant to the provisions of 10 CFR 2.201, NexTran, Inc. (formerly DNX, 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.