

APPENDIX

NOTICE OF VIOLATION

CBI Industries, Inc.
Houston, Texas

Docket No. 030-09727/91-01
License No. 42-13553-02

During NRC inspections conducted on May 3 and 13 and June 18, 1991, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1990), the violations are listed below:

License Condition 19 requires, in part, that the licensee shall conduct its program in accordance with statements, representations, and procedures contained in the letter dated July 31, 1985.

Item 2.7.4 of the "Isotope Radiation Safety Manual," enclosed with the letter dated July 31, 1985, specifies that district radiation safety officers (RSO) or their assistants will conduct quarterly jobsite inspection checks of radiographic operators to determine that license provisions and NRC regulations are followed. These inspections are to be documented on the licensee's radiography internal inspection checklist and maintained by the RSO for review.

Contrary to the above, the inspectors observed that one radiographer's assistant, who worked in Pennsylvania during the first and second quarters of 1991, had not been inspected during 1991 until April 24, 1991.

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

Pursuant to the provisions of 10 CFR 2.201, CBI Industries, Inc., is hereby required to submit a written statement or explanation to the Regional Administrator, Region IV, with a copy to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, 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 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. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Arlington, Texas
this 9th day of August 1991