

NOTICE OF VIOLATION

Zircoa, Inc.
Solon, Ohio

License No. SMC-1520
Docket No. 040-08961

As a result of the inspection conducted on September 17, 1991, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1991) (Enforcement Policy) the following violations were identified:

1. Condition 11.B. of License No. SMC-1520 states that the Radiation Protection Officer for the activities authorized by the license is Stella A. Sczerbaniewicz.

Contrary to the above, on September 17, 1991, the Radiation Protection Officer for the activities authorized by the license was an individual other than Ms. Sczerbaniewicz. Specifically, since approximately 1989, Ms. Sczerbaniewicz has not been in the employ of the licensee and has not otherwise acted as the Radiation Protection Officer for the licensee.

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

2. Condition 14 of License No. SMC-1520 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in an application dated April 16, 1982 and other referenced documents.

Item 12c of the referenced application requires that until such time as instrumentation is obtained wipe tests for removable contamination will be analyzed by another, stated entity. Analysis of wipe test samples will include alpha, beta and gamma results.

Contrary to the above, as of September 17, 1991, the licensee did not analyze, or have analyzed, wipe test samples for beta and gamma contributions. In addition, the licensee did not obtain the instrumentation necessary to analyze its wipe test samples for beta and gamma contributions.

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

3. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with the requirements of Part 20 and which are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to the above, the licensee did not make surveys to determine that individuals were not exposed to airborne concentrations exceeding the limits specified in 10 CFR 20.103. Specifically, as of September 17, 1991, the licensee did not evaluate air samples taken for other than alpha emitter contributions to total concentrations of airborne radioactivity.

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

4. 10 CFR 20.203(e) requires that rooms in which specified amounts of licensed material are used or stored by conspicuously posted "Caution Radioactive Material."

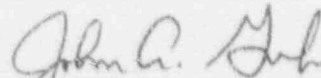
Contrary to the above, on September 17, 1991, the baddeleyite storage area which contained approximately 44 millicuries of natural uranium was not posted as required.

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

Pursuant to the provisions of the 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 violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given extending your response time for good cause shown.

NOV 08 1991

Dated _____



John A. Grobe, Chief
Nuclear Materials Safety Branch

Appendix B

Management Control

In order to provide you with some guidance in assessing the adequacy of your management control program, the NRC Region III office provides the following as the acceptance criteria for adequate management control for materials licensees. "Management Control" is a system instituted by management to assure that licensed activities are performed safely and in accordance with regulatory requirements (license conditions and applicable regulations).

This will include:

- a. Delineation of duties and responsibilities of all persons involved in licensed activities.
- b. Providing for indoctrination and training of all personnel performing licensed activities, specifically in those areas directly affecting compliance with NRC regulations and license conditions.
- c. Verification, as by checking, auditing and inspecting, that activities affecting safety related functions have been correctly performed. The verifying process should be performed by individuals or groups other than those performing the safety related procedures.
- d. Insuring continued compliance of licensed activities throughout periods during which routine activities may be interrupted, such as changes in equipment, personnel or facilities.

Because of the many variables involved, such as the number of personnel, type of activity being performed and the location or locations where activities are performed, the organizational structure for executing the management control program may take various forms; however, irrespective of the organizational structure, the individual or group responsible for this control should have the flexibility and authority to institute changes or corrections as required to maintain compliance with NRC regulations and license conditions.