

NOTICE OF VIOLATION

Environmental Protection Agency
Environmental Research Laboratory
Narragansett, Rhode Island

Docket No. 030-06356
License No. 38-11957-01

During an NRC inspection conducted on May 9, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600, the violations are listed below:

- A. Condition 16 of License No. 38-11957-01 requires that the licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.

Contrary to the above, as of May 9, 1996, physical inventories of sealed sources and devices containing licensed material have not been conducted every six months. Specifically, physical inventories of sealed sources and devices containing licensed material have not been conducted since April 2, 1993.

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

- B. 10 CFR 20.1501(b) requires that the licensee shall ensure that instruments and equipment used for quantitative radiation measurements (e.g., dose rate and effluent monitoring) are calibrated periodically for the radiation measured.

Contrary to the above, as of May 9, 1996, the licensee did not ensure that a Nuclear Chicago Model No. 2650 survey meter used for quantitative measurements was calibrated periodically for the radiation measured. Specifically, the survey meter had never been calibrated and it was used to survey packages containing licensed material upon receipt.

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

Pursuant to the provisions of 10 CFR 2.201, Environmental Protection Agency 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a 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.

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Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.