

NOTICE OF VIOLATION

TET, Inc.
Mobile, Alabama

Docket No. 150-00001
License No. AL-147

During an NRC inspection conducted on July 16-17, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 30.3 requires in relevant part, that no person shall possess or use byproduct material except as authorized by a specific or general license issued by the NRC.

10 CFR 150.20(a) provides in part that any person who holds a specific license from an Agreement State is granted an NRC general license to conduct the same activity in non-Agreement States subject to the provisions of 10 CFR 150.20(b). The NRC has determined that 10 CFR 150.20 also applies to areas of exclusive federal jurisdiction within Agreement States.

10 CFR 150.20(b)(1) requires, in part, that any person engaging in activities in non-Agreement States shall, at least 3 days before engaging in each such activity, file 4 copies of NRC Form 241, "Report of Proposed Activities in Non-Agreement States," with the Regional Administrator of the appropriate NRC regional office. 10 CFR 150.20(b)(1) also states that the Regional Administrator may waive the requirement for filing additional Form-241s during the remainder of calendar year following receipt of the initial Form 241.

Contrary to the above, on 11 occasions between May 13 and June 29, 1996, TET, Inc., a licensee of the State of Alabama, an Agreement State, used curie quantities of Iridium-192 to perform industrial radiography at Pensacola Naval Air Station, Florida, an area of exclusive federal jurisdiction, without a specific license issued by the NRC or without filing Form-241s with the NRC. Specifically, the licensee performed work on dates which were not included in the initial filing of the Form-241 on March 1, 1996, without filing additional Form-241s or requesting a waiver from filing from the Regional Administrator, Region II.

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

Pursuant to the provisions of 10 CFR 2.201, TET, Inc. is hereby required to submit a written statement or explanation to the Regional Administrator, Region II, 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. 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 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.

Dated at Atlanta, Georgia
This 15th day of August, 1996

Enclosure