

ENCLOSURE

NOTICE OF VIOLATION

Construction Environment, Inc.
Alexandria, VA

Docket No. 030-20170
License No. 45-17380-01

During the Nuclear Regulatory Commission (NRC) inspection conducted on April 18, 1988, 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 (1988), the violations are listed below:

A. 10 CFR 71.5(a) requires a licensee who transports any licensed material outside the confines of his plant or other place of use, or delivers any licensed material for transport, except where such transport is subject to the regulations of the U.S. Postal Service, to comply with the applicable requirements of the Department of Transportation regulations presented in 49 CFR Parts 170 through 189 insofar as such regulations relate to the packaging of byproduct, source, or special nuclear material, marking and labeling of the packages, loading and storage of packages, placarding of the transportation vehicle, monitoring requirements, and accident reporting.

1. 49 CFR 172.200 requires a person who offers hazardous material for transportation to describe the hazardous material on shipping papers. 49 CFR 172.101 defines radioactive material as hazardous material.

Contrary to the above, at the time of the inspection the licensee stated that no shipping papers had been prepared for the transportation of Troxler moisture/density gauges containing Cesium-137 and Americium-241 sealed sources between approximately May 1981 and April 1988.

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

2. 49 CFR 173.415(a) requires each shipper of a Specification 7A package to maintain on file for at least one year after the latest shipment a complete documentation of tests and an engineering evaluation or comparative data showing that the construction methods, packaging design, and materials of construction comply with that specification.

Contrary to the above, at the time of the inspection the licensee failed to maintain on file the appropriate test specifications for two (2) Troxler Model 3411B moisture/density gauge packages (source serial nos. 4595 and 4481).

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

3. 49 CFR 173.467(a) requires each shipper of special form radioactive materials to maintain on file for at least one year after the latest shipment a complete safety analysis, including documentation of any tests, demonstrating that the special form material meets the requirements of 49 CFR 174.469.

Contrary to the above, at the time of the inspection the licensee failed to maintain on file the appropriate safety analysis for two (2) Troxler Model 3411B moisture/density gauges containing special form material (source serial nos. 4595 and 4481).

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

- B. License Condition 13.A.(1) requires the licensee to leak test each sealed source containing licensed material, other than Hydrogen 3, with a half-life greater than 30 days and in any form other than gas, at intervals not to exceed six months.

License Condition 13.B. requires the licensee to maintain records of leak test results in units of microcurie for inspection by the Commission.

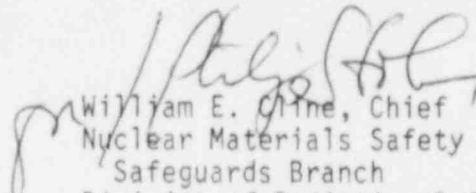
Contrary to the above, the licensee failed to maintain leak test results in units of microcurie for various leak tests performed on two (2) Troxler Model 3411B moisture/density gauges (serial nos. 4595 and 4481) between approximately May 1981 and January 1984.

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

Pursuant to the provisions of 10 CFR 2.201, Construction Environment, Inc., is hereby required to submit a written statement or explanation to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II, within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good

the response time. 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.

FOR THE NUCLEAR REGULATORY COMMISSION


William E. Cline, Chief
Nuclear Materials Safety and
Safeguards Branch
Division of Radiation Safety
and Safeguards

Dated at Atlanta, Georgia
this 13th day of May 1988