

ENCLOSURE 1

NOTICE OF VIOLATION

Babcock and Wilcox
NNFD - Research Laboratory

Docket No. 70-824
License No. SNM-778

During the Nuclear Regulatory Commission (NRC) inspection conducted on September 12-14, 1988, 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 (1988), the violation is listed below:

License Condition 9 requires that licensed material be used in accordance with the statements, representations and conditions contained in Chapters 1 through 8 of the license application dated November 26, 1985, and supplements thereto. Section 2.6.4 of the license application states that persons designated as Authorized Users shall be retrained annually and that satisfactory completion of the retraining shall be determined by passing a written examination.

Contrary to the above, on September 9, 1988, an individual was included on the Authorized Users List who had not satisfactorily completed the annual retraining in that he had not received a passing grade on the written examination administered on April 26, 1988.

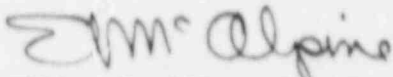
This is a Severity Level V violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Babcock and Wilcox 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, and a copy to the NRC Resident Inspector, 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 cause is shown, consideration will be given to

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extending 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


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

Dated at Atlanta, Georgia
this 22nd day of September 1988