

APPENDIX A

NOTICE OF VIOLATION

E. L. Conwell & Co.  
Bridgeport, Pennsylvania 19405

License Nos. 37-17637-02  
37-17637-01  
Docket Nos. 030-17570  
030-13105

As a result of the inspection conducted on June 1-2, 1988, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1988), the following violations were identified:

- A. 10 CFR 20.203(b) requires that each radiation area be conspicuously posted with a sign or signs bearing the radiation symbol and the words: "Caution Radiation Area." As defined in 10 CFR 20.202(b)(2), a radiation area is any area accessible to personnel where radiation levels originating from licensed material could result in a dose to a major portion of the body in excess of 5 millirem in any one hour.

Contrary to the above, on June 1, 1988, a radiation area in the licensee's facility in Omrod, Pennsylvania, where radiation levels of 6 millirems per hour existed, was not adequately posted with a "Caution Radiation Area" sign. Specifically, the licensee used a Department of Transportation Yellow II shipping label as a posted warning sign.

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

- B. 10 CFR 71.5(a) requires that each licensee transporting licensed material outside the confines of his facility, or delivering licensed material to a carrier for transport, shall comply with the applicable requirements of the regulations, appropriate to the mode of transport, of the Department of Transportation under 49 CFR 170-189.

49 CFR 172.203(a) requires that the shipping description for a radioactive material on the shipping paper (required per 49 CFR 171.200) include a description of the chemical and physical form, the category of label applied to each package, and the transport index assigned to each package.

Contrary to the above, on June 1, 1988, a shipping paper accompanying a nuclear moisture/density gauge, that was transported from the licensee's Omrod facility to a temporary job site at Pocono Hospital, East Stroudsburg, Pennsylvania, did not contain all of the required information. Specifically, the document did not contain the transport index, chemical and physical form of the radioactive material, and the category of label applied to each package being transported.

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

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37-17637-01 PDC

RETURN ORIGINAL TO  
REGION I

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Pursuant to the provisions of 10 CFR 2.201, E. L. Conwell & Co. is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.