

APPENDIX A

NOTICE OF VIOLATION

Bear Creek Construction Company  
Landisville, Pennsylvania 17538

Docket No. 030-22313  
License No. 37-20901-01

As a result of the inspection conducted on October 14, 1986, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violations were identified:

- A. 10 CFR 71.5(a) requires that each licensee who transports licensed material outside the confines of its facility, or who delivers 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 in 49 CFR Parts 170-189.

49 CFR 172.200(a), 172.202 and 172.203 require and describe proper shipping papers that must accompany each package containing licensed material for transport.

Contrary to the above, as of October 14, 1986, the shipping papers described in 39 CFR 172.202 and 172.203 were not prepared and have not accompanied the licensee's gauges in transport to temporary field locations.

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

- B. Condition 13.B of License No. 37-20901-01 requires that records of leak tests of sealed sources be maintained.

Contrary to the above, as of October 14, 1986 records of leak tests were not available for review.

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

- C. Condition 15 of License No. 37-20901-01 requires that records of physical inventories be maintained for two years past the date of the inventory.

Contrary to the above, as of October 14, 1986 records of inventories were not available for review.

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

- D. 10 CFR 20.401(a) requires that each licensee maintain records showing radiation exposures on Form NRC-5, in accordance with the instructions contained in that form, or on clear and legible records containing all the information required by Form NRC-5.

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Contrary to the above, on October 14, 1986, exposure records containing the required information were not maintained. Specifically, the records did not reflect quarterly or yearly accumulated doses for the personnel for whom such monitoring is required.

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

- E. 10 CFR 19.11(a) and (b) require that current copies of Part 19, Part 20, the license conditions, documents incorporated into the license, license amendments and operating procedures be posted, or that a notice describing these documents and where they may be examined, be posted.

Contrary to the above, on October 14, 1986, neither the documents nor the notice were posted.

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

Pursuant to the provisions of 10 CFR 2.201, Bear Creek Construction Company 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.