

DCS

4 MAY 1987

Docket No. 030-21261
License No. 37-20848-01
EA 87-54

Comdustrial Roofing Contractors, Inc.
ATTN: Mr. William McCloskey
Vice President
3047 Unionville Pike
P.O. Box 429
Hatfield, Pennsylvania 19440

Gentlemen:

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
(NRC Inspection No. 030-21261/86-01)

This refers to the NRC inspection of activities authorized by NRC License No. 37-20848-01, conducted on November 19, 1986 and March 10 and 18, 1987 at your former facility in Horsham, Pennsylvania and your current facility in Hatfield, Pennsylvania, and also at the Harrisburg Steam Generating Station. The report of the inspection was forwarded to you on April 3, 1987. During the inspection, violations of NRC requirements were identified. On April 9, 1987, we held an enforcement conference with you during which the violations, their causes, and your corrective actions were discussed.

The violations, which are described in the enclosed Notice of Violation (Notice), involve the unauthorized storage of a moisture density gauge containing licensed material and the failure to secure the gauge against unauthorized removal from the place of storage. Following the fire at the licensed location in July 1986, the licensee should have sought prompt authorization for storage of the licensed material in its new location. The failure to adequately secure the device resulted in the apparent inadvertent disposal of the gauge to a landfill. Although it is unlikely that the public health and safety would be adversely affected by this disposal, the violation was preventable and could have resulted in unnecessary exposure of individuals to radiation.

To emphasize the importance to assure licensed material is not released into the public domain, including unauthorized disposal, and the importance to notify the NRC of changed storage locations for licensed materials, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Regional Operations, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Five Hundred Dollars (\$500) for the violations described in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987) (Enforcement Policy), the violations described in the enclosed Notice have been categorized in the aggregate as a Severity Level III problem. The escalation and mitigation factors in the Enforcement Policy were considered and no adjustment has been deemed appropriate.

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37-20848-01 PDR

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Comdustrial Roofing
Contractors, Inc.

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You are required to respond to the enclosed Notice and should follow the instructions specified in the Notice in preparing your response. In your response, you should document the specific actions taken to correct the violations and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,

William T. Russell
Regional Administrator

Enclosure: Notice of Violation and
Proposed Imposition of
Civil Penalty

cc w/enc1:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Pennsylvania

bcc w/encl:
Region I Docket Room (w/concurrences)
SECY
Congressional Affairs
J. Taylor, DEDO
W. Russell, RI
D. Holody, RI
J. Lieberman, OE
Enforcement Directors, RII-RIII
Enforcement Officers, RIV-V
F. Ingram, OGPA
J. Crooks, AEOD
B. Hayes, OI
S. Connelly, OIA
E. Flack, OE
V. Miller, NMSS
D. Nussbaumer, OGPA
OE/ES File
OE/EA File
EDO Rdg File
DCS
J. Goldberg, OGC

RI:ES ^{DFH}
Holody/gcb

4/10/87

RI:DRSS
White

4/13/87

RI:DRSS
Joyner

4/14/87

RI:DRSS
Martin

4/14/87

RI:RC
Gutierrez
4/15/87

RI:DRA
Alvan

4/17/87

cc Goldberg
~~OE~~ Lieberman

4/ /87

D:IE
Taylor

4/ /87

Russell
5/4/87
WTR

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CP PKG COMDUSTRIAL ROOFING R2 - 0003.0.0

Rec'd by phone 04/30/87
from OE 4/29/87
DFH