

NOTICE OF VIOLATION

Allegheny Wireline Services, Inc.
Weston, West Virginia

Docket No. 030-06697
License No. 47-11976-01

During an NRC inspection conducted on July 14 - 16, 1998, one violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189 appropriate to the mode of transport.

49 CFR 172.403 requires, in part, with exceptions not applicable here, that each package of radioactive material be labeled, as appropriate, with two RADIOACTIVE WHITE-I, RADIOACTIVE YELLOW-II, or RADIOACTIVE YELLOW-III labels on opposite sides of the package. The contents, activity, and transport index must be entered in the blank spaces on the label using a legible and durable, weather resistant means.

49 CFR 172.301 (a) requires, in part, that each person who offers hazardous material in a non-bulk package for transport shall mark the package with the proper shipping name and identification number.

49 CFR 172.310(b) requires that, each package containing Class 7 (radioactive) materials must be marked on the outside of the package, in letters at least 13 mm (0.5 inch) high, with the words "TYPE A" or "TYPE B" as appropriate.

Contrary to the above, on July 14, 1998, the licensee shipped a package containing a 15 curie americium 241 sealed source from the Lomak Operating Company in Yatesboro, Pennsylvania to the licensee's Titusville, Pennsylvania facility and the labels, the proper shipping name, the identification number and the words "TYPE A" were not legible. Specifically, the labels and markings were covered with dirt or were scraped off the sides of the package.

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

Pursuant to the provisions of 10 CFR 2.201, Allegheny Wireline Services, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region II, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that

will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at Atlanta, Georgia
This 6th day of August 1998