



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
511 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

DEC 7 1992

Docket No. 030-14636
License No. 42-18191-01

Department of the Army
Corps of Engineers
Fort Worth District
ATTN: David Davidson
Radiation Safety Officer
P.O. Box 17300
Ft. Worth, Texas 76102-0300

Gentlemen:

SUBJECT: NRC INSPECTION REPORT NO. 030-14636/92-01 (NOTICE OF VIOLATION)

This refers to the routine, announced inspection conducted by Mr. Gilbert L. Guerra of this office on November 10, 1992. The inspection included a review of activities authorized by Byproduct Material License No. 42-18191-01. At the conclusion of the inspection, the findings were discussed with members of your staff.

The inspection was an examination of activities conducted under the license as they relate to radiation safety and to compliance with the Commission's rules and regulations and the conditions of the license. The inspection consisted of selective examinations of procedures and representative records, interviews of personnel, and observation of activities in progress.

During this inspection, the inspector discussed with Mr. Rene Moradel the requirements with which you must comply, including the NRC and Department of Transportation regulations, and the commitments in your license application.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice).

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

The inspector noted that the licensee conducted annual compliance inspections of each user element by the district radiation protection officer to determine compliance with NRC regulations and license conditions and was in the process

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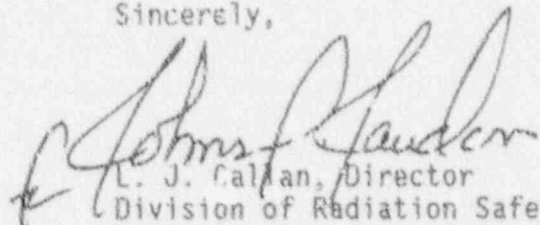
of revising this audit program. The licensee possessed six moisture/density gauges and one asphalt content gauge located at various sites.

Also reviewed were the actions you had taken with respect to the violations observed during our previous inspection conducted on September 27, 1988. The inspection verified that the corrective actions for these violations had been implemented as stated in NRC Form 591 dated September 27, 1988, and that these actions were effective.

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, Pub. L. No. 96.511.

Should you have any questions concerning this letter, please contact the inspector identified above at (817) 860-8100.

Sincerely,


L. J. Caltan, Director
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix - Notice of Violation

cc:
Texas Radiation Control Program Director

bcc:

DMB - Original (IE-07)

JLMilhoan

LJCallan

JPJaudon

MRodriguez, OC/LFDCB (4503)

*WLFisher

*CLCain

*GLGuerra

*NMIS

*MIS System

*RIV Files (2)

*RSTS Operator

*REHall, URFO

*W/IFS Form

RIV:NMIS _{gib}	C:NMIS _{gib}	D:DRSS		
GLGuerra:st	CLCain	LJCallan		
11/12/92	12/2/92	12/4/92		

bcc:

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11/12/92	12/2/92	12/4/92		