

NOTICE OF VIOLATION

Parker Hannifin Corporation
Lebanon, Indiana

General License 10 CFR 31.5

During an NRC inspection conducted on November 6, 1992, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1992), the violations are listed below:

1. 10 CFR 31.5(c)(3) requires that any person who acquires, receives, possesses, uses or transfers byproduct material in a device pursuant to a general license shall assure that tests for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, and other testing, installation, servicing, and removal from installation involving the radioactive material, its shielding or containment, are performed: (1) in accordance with the instructions provided by the labels; or (2) by a person holding a specific license pursuant to 10 CFR Parts 30 and 32 or from an Agreement State to perform such activities.

Contrary to the above, sometime in late April 1992, removal from installation of a Kay Ray, Inc. Model 7062BP gauge containing a nominal 50 millicurie cesium-137 sealed source, was not performed in accordance with the instructions provided by the labels or by a person holding a specific license pursuant to 10 CFR Parts 30 and 32 or from an Agreement State to perform such activities. Specifically, the gauge was removed from its mounted installation by a licensee maintenance mechanic, an individual not specifically licensed for such activities or otherwise authorized by the device labels.

This is a Severity Level IV Violation (Supplement VI).

2. 10 CFR 31.5(c)(2) requires, with certain exceptions, that any person who acquires, receives, possesses, uses or transfers byproduct material in a device pursuant to a general license shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six month intervals or at such other intervals as are specified in the label.

Contrary to the above, as of November 6, 1992, the licensee's Kay Ray, Inc. Model 7062BP gauge containing a nominal 50 millicurie cesium-137 sealed source, was not tested for leakage since April 1988. This leak test interval exceeds the required three year interval specified on the device label, and the device was not subject to the specified exemptions.

This is a Severity Level IV Violation (Supplement VI).

3. 10 CFR 30.51(a) requires that each licensee keep records showing the receipt, transfer, export, and disposal of byproduct material.

9301080028 921228
REG3 GA999 EMVPARKH
99990003 PDR

Contrary to the above, as of November 6, 1992, the licensee did not keep records of receipt for a Kay Ray, Inc. Model 7062BP gauge housing a nominal 50 millicurie cesium-137 sealed source.

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

10 CFR 31.5(c)(4) requires, in part, that any person who acquires, receives, possesses, uses or transfers byproduct material in a device pursuant to a general license shall maintain records showing the results of tests for leakage and proper operation of the on-off mechanism and indicator, and of other testing, installation, servicing, and removal from installation involving the radioactive material, its shielding or containment. The records must show the dates of performance of, and the names of the persons performing, the recorded event and be retained for three years or until the sealed source is transferred or disposed of.

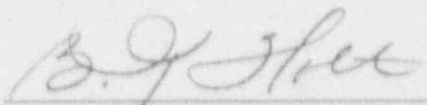
Contrary to the above, as of November 6, 1992, the licensee did not maintain records of leak tests performed in April 1988, on a nominal 50 millicurie cesium-137 sealed source housed in a Kay Ray, Inc. Model 7062BP device, and device installation records from initial device installation in approximately 1985.

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

Pursuant to the provisions of 10 CFR 2.201, Parker Hannifin Corporation is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, Illinois, 60137, 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. 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.

DEC 28 1992

Dated _____


B. J. Holt, Chief
Nuclear Materials Inspection
Section 1