

NOTICE OF VIOLATION

The Colonel's Inc.
Owosso, Michigan

License No. 21-24682-01
Docket No. 030-29123

During an NRC inspection conducted on December 17-29, 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, the violations are listed below:

1. Condition 11 of License No. 21-24682-01 requires, in part, that licensed material be used by or under the supervision of individuals who have been trained in the use of the gauges by the device manufacturer.

Contrary to the above, since approximately May 1992, licensed material has been used by or under the supervision of individuals who have not been trained in the use of the gauges by the device manufacturer.

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

2. 10 CFR 19.12 requires, in part, that all individuals working in or frequenting any portion of a restricted area be instructed in precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and licenses.

Contrary to the above, since approximately February 1987, licensee employees who were working near the Texas Nuclear Model 5190 Source Holder at 490 S. Chestnut Street, Owosso, MI, a restricted area, have not been instructed in precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the regulations and the conditions of the license.

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

3. Condition 12 of License No. 21-24682-01 requires that sealed sources containing byproduct material be tested for leakage and/or contamination at intervals not to exceed three years.

Contrary to the above, between July 10, 1986 and February 22, 1991, a sealed source containing 250 millicuries (nominal) of cesium-137 had not been tested for contamination or leakage, a period exceeding three years.

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

4. 10 CFR 20.203(f) requires that, except as provided by 10 CFR 20.203(f)(3), each container of specified amounts of licensed material bear a durable, clearly visible label identifying the radioactive contents. The label must also bear the radiation caution symbol and the words "CAUTION, RADIOACTIVE MATERIAL" or "DANGER, RADIOACTIVE MATERIAL".

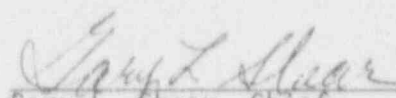
Contrary to the above, on December 17, 1992, a Texas Nuclear source holder, model number 5190, containing 25 millicuries or more of cesium-137, did not bear clearly visible labels identifying the radioactive contents and bearing the radiation caution symbol and the words "CAUTION, RADIOACTIVE MATERIAL" or "DANGER, RADIOACTIVE MATERIAL", and the containers were not excepted from such labelling.

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

Pursuant to the provisions of 10 CFR 2.201, The Colonel's Inc. 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 to show cause 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 29 1992

Dated _____


Gary L. Shear, Chief
Nuclear Materials Safety
Section 2