

NOTICE OF VIOLATION

Missouri Engineering Corporation  
Rolla, Missouri

License No. 24-26270-01  
Docket No. 030-32039

During an NRC inspection conducted on April 16, 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 71.5(a) requires that licensees who transport licensed material outside the confines of their plants or deliver licensed material to a carrier for transport comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Part 170-189.

49 CFR 171.15(a)(2) requires that at the earliest practicable moment, each carrier who transports hazardous material shall give notice in accordance with paragraph (b) of this section after each incident that occurs during the course of transportation in which fire, breakage, spillage, or suspected radioactive contamination occurs involving shipments of radioactive material.

Contrary to the above, the licensee failed to give notice in accordance with paragraph (b) of 49 CFR 171.15 of an incident which occurred on June 28, 1991, that involved a motor vehicle accident and fire involving hazardous material in the form of approximately 8 millicuries of cesium-137 and 40 millicuries of americium-241 contained in a moisture/density gauge.

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

2. Condition 12.A. of License No. 24-26270-01 requires that sealed sources specified shall be tested for leakage and/or contamination at intervals not to exceed six months.

Contrary to the above, from July 31, 1991 to April 16, 1992, the licensee failed to conduct leak tests of sealed sources containing approximately 8 millicuries of cesium-137 and 40 millicuries of americium-241, intervals exceeding six months.

This is a Severity Level IV (Supplement VI).


Pursuant to the provisions of 10 CFR 2.201, Missouri Engineering 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:

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(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.

MAY 5 1992

Dated \_\_\_\_\_

  
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Gary L. Shear, Chief  
Nuclear Materials Inspection  
Section 2