

APPENDIX A

NOTICE OF VIOLATION

Department of the Interior
Bureau of Indian Affairs
P. O. Box 120
8th & M Street
Hoquiam, Washington 98550

License No. 46-15078-02

As a result of the inspection conducted on May 9, 1985 and in accordance with the NRC Enforcement Policy, 10 CFR Part 2, Appendix C, the following violations were identified:

- A. License Condition 12 states that licensed material shall be used by, or under the supervision and in the physical presence of, Byron Frost.

Contrary to the above requirement, licensed material was used by an unauthorized individual on twenty separate occasions during July, 1984 at Cook Creek and at road construction field sites in the state of Washington. Mr. Frost had terminated employment with the licensee in Hoquiam, Washington previous to the unsupervised use of licensed material.

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

- B. License Condition 15 states that a physical inventory shall be conducted every six months to account for all sealed sources received and possessed under the license.

Contrary to the above requirement, physical inventories had not been conducted of the sealed sources (cesium-137, 8 millicuries; americium-241, 40 millicuries) contained in the Campbell Pacific Model B(R) portable nuclear moisture density gauge during the period between the receipt of the gauge in 1982 and the date of inspection, May 9, 1985.

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

- C. License Condition 13.A. states, in part, that each sealed source containing licensed material, other than hydrogen-3 with a half-life greater than thirty days and in any form other than gas, shall be tested for leakage and/or contamination at intervals not to exceed one year. License Condition 13.A. also requires that sealed sources that are stored and not being used shall be tested for leakage prior to any use or transfer to another person unless they have been leak tested within six months prior to the date of use or transfer.

Contrary to the above requirements, a leak test of the sealed sources (cesium-137, 8 millicuries; americium-241, 40 millicuries) contained in a Campbell-Pacific Nuclear Model B(R) portable nuclear moisture density gauge was conducted on January 18, 1982, but was not repeated prior to the use of the gauge during July, 1984.

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

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- D. License Condition 17 states, in part, that the licensee shall possess and use licensed material in accordance with statements, representations, and procedures contained in application dated September 7, 1980 and letters dated December 16, 1980, March 18, 1981, and February 26, 1982. Item 12 of the application attached to the letter dated February 26, 1982 requires that film badges will be used and exchanged quarterly to monitor licensee personnel for radiation exposure. Also, 10 CFR 20.401(a) states, in part, that each licensee shall maintain records showing the radiation exposure of all individuals for whom personnel monitoring is required.

Contrary to these requirements, records of personnel monitoring were not maintained for the quarterly calendar periods between January 1, 1983 and September 30, 1983, and between January 1, 1984 and March 31, 1985.

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

- E. 10 CFR 19.11(a) specifies that each licensee shall post current copies of the following documents: (1) 10 CFR Parts 19 and 20, (2) the license, license conditions or documents incorporated into the license by reference and amendments thereto, and (3) the operating procedures applicable to the licensed activities. 10 CFR 19.11(b) states that if posting of the documents specified in 10 CFR 19.11(a) is not practicable, the licensee may post a notice which describes the document and states where it may be examined.

Contrary to the above requirements, at the time of the inspection, neither the posting of documents required by 10 CFR 19.11(a) nor the notice authorized by 10 CFR 19.11(b) were posted at the licensee's storage location for the moisture density gauge in Cook Creek, Washington.

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

- F. 10 CFR 19.11(c) and (d) requires that NRC Form-3, "Notice to Employees," shall be posted by the licensee in a sufficient number of places to permit individuals engaged in licensed activities to observe them on the way to or from any particular licensed activity location.

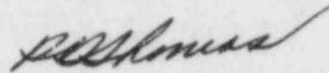
Contrary to the above requirement, at the time of inspection, no Form NRC-3 was posted at the licensee's storage location for the moisture density gauge in Cook Creek, Washington.

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

Pursuant to the provisions of 10 CFR 2.201, Department of the Interior, Hoquiam, Washington, is hereby required to submit to this office within thirty days of the date of this Notice, a written statement of explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

MAY 28 1985

Dated



R. D. Thomas, Chief
Nuclear Materials Safety Section