

DCD

October 22, 1996

Rod Reinholdt, Vice President
MQS Inspection, Inc.
2301 Arthur Avenue
Elk Grove Village, IL 60007

SUBJECT: NRC INSPECTION AND NOTICE OF VIOLATION

Dear Mr. Reinholdt:

This refers to the inspection conducted on August 8, 1996, at your temporary jobsite at the Sun Oil Company Refinery in Yabucoa, Puerto Rico. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with Mr. Ron Hayden, of your Houston, Texas office.

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

Based on the results of this inspection, the NRC has determined that four violations of NRC requirements occurred. These violations are cited in the enclosed Notice of Violation, and include failure to: (1) use shipping papers, (2) block and brace a transported package containing hazardous material, (3) label a package containing radioactive materials with YELLOW II labels, and (4) failure to label a radiographic exposure device with their address and telephone number. During the inspection your staff stated that the road used to transport material was controlled by a private firm, and therefore not subject to 10 CFR 71.5 requirements. Subsequent review by the NRC determined that the road is owned by the Commonwealth, public access to the road was not restricted, and the road was privately maintained. Since the road was owned by the Commonwealth and public access is not restricted, the road is considered a public highway from the point of view of 10 CFR 71.5. A written response is required.

9610280073 961022
PDR ADDCK 03004041
C PDR

IE07

R. Reinholdt

-2-

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, the enclosure, and your response to this letter will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

Original signed by Cynthia D. Pederson

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

License No. 12-00622-01
Docket No. 030-04041

Enclosure: Notice of Violation

cc w/encl: E. Banfield, RSO

bcc w/encl: PUBLIC
B. Burgess, EICS
RII Docket File, DNMS

DOCUMENT NAME: G:\INSPRPTS\MTLS\030\03004041.962

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	DNMS/RIII	E	DNMS/RIII	E	DNMS/RIII				
NAME	TYoung/jaw:dp	TY	MPH/ps		CPederson				
DATE	10/21/96		10/21/96		10/21/96				

OFFICIAL RECORD COPY