

NOTICE OF VIOLATION

John J. Lawrence & Associates, Inc.
Hartford, CT 06105

Docket No. 030-17162
License No. 06-19223-01

During an NRC inspection conducted on October 23 and 24, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600, the violations are listed below:

10 CFR 71.5(a) requires, in part, that each licensee who transports licensed material outside the site of usage, as specified in the NRC license, or where transport is on public highways, comply with the applicable requirements of the Department of Transportation regulations in 49 CFR parts 170 through 189 appropriate to the mode of transport.

Pursuant to 49 CFR 172.101, radioactive material is classified as a hazardous material.

- A. 49 CFR 172.702(a) requires that each hazmat employer ensure that each of its hazmat employees is trained in accordance with the requirements in Subpart H.

Contrary to the above, as of October 24, 1996, the hazmat employer (i.e., John J. Lawrence & Associates, Inc.) did not ensure that each of its employees was trained in accordance with the requirements of Subpart H. Specifically, a hazmat employee transported a Troxler Model 3411B gauge containing approximately 8 millicuries of cesium-137 and 44 millicuries of americium-241, radioactive materials, and had not received training in Subpart H.

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

- B. 49 CFR 177.842(d) requires that packages containing radioactive material must be so blocked and braced that they cannot change position during conditions normally incident to transportation.

Contrary to the above, as of October 24, 1996, the licensee did not block and brace packages containing radioactive material so that they could not change position during conditions normally incident to transportation. Specifically, the Troxler 3411B transportation case was surrounded by equipment to prevent movement in an enclosed station wagon instead of being blocked and braced.

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

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Pursuant to the provisions of 10 CFR 2.201, John J. Lawrence & Associates, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. 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.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.