

NOTICE OF VIOLATION

CQ, Inc.
Homer City, PA 15748-0280

Docket No. 030-19638
License No. 37-19991-01

During an NRC inspection conducted on October 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:

- A. License Condition 11.B. of NRC License No. 37-19991-01 names a specific individual as radiation safety officer.

Contrary to the above, as of October 24, 1996 the individual named as radiation safety officer is no longer employed by the licensee. Specifically, the individual's employment was terminated in late 1993 and the NRC was not notified of his replacement.

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

- B. License Condition 17 of NRC License No. 37-19991-01 requires that a physical inventory be conducted every 6 months to account for all sources and/or devices received and possessed under the license.

Contrary to the above, as of October 24, 1996 the required physical inventory is not being conducted every 6 months as required. Specifically, the last inventory was conducted on December 17, 1995, a time interval greater than 6 months.

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

- C. License Condition 18 of NRC License No. 37-19991-01 requires that the licensee conduct the program in accordance with statements, representations, and procedures contained in an application dated May 8, 1992.

Section 10.3 (Radiation Detection Instrument) of the application states that the survey meter will be calibrated once a year.

Contrary to the above, as of October 24, 1996 the survey meter, a Nuclear Chicago Model 184100 (Serial No. 8336) is not calibrated once a year. Specifically, the instrument was last calibrated on October 23, 1993, a time interval greater than yearly.

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

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Pursuant to the provisions of 10 CFR 2.201, CQ, 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.

If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.