

APPENDIX A  
NOTICE OF VIOLATION

Air Products and Chemicals, Inc.  
Allentown, Pennsylvania 18105

Docket No. 99990001/85-09  
License No. SMA-101B

As a result of an inspection by the State of Washington Department of Social and Health Services on December 13, 1984 and January 8, 1985, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violations were identified:

10 CFR 71.5(a) requires that each licensee who transports any licensed material outside the confines of its plant or other place of use, or delivers licensed material to a carrier for transport, to comply with the applicable requirements of the Department of Transportation regulations in 49 CFR Parts 170 through 189.

- A. 49 CFR 173.425(b)(1) requires that low specific activity (LSA) material be packaged in strong tight packages so that there will be no leakage of radioactive material under conditions normally incident to transportation.

Contrary to the above, drums of LSA material received on December 13, 1984 and January 8, 1985, at the burial site at Richland, Washington, were not strong tight packages. Specifically, 25 of the drums had holes in them, 69 had improperly secured rings and 3 had loose bung caps.

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

- B. 49 CFR 173.425(b)(6) requires that packaged shipments of LSA material consigned as exclusive use be braced so as to prevent shifting of lading under conditions normally incident to transportation.

49 CFR 177.834(a) requires that any specified package, not permanently attached to a motor vehicle, which contains radioactive material must be secured against movement within the vehicle on which it is being transported, under conditions normally incident to transportation.

Contrary to the above, specified packages containing LSA quantities of radioactive material received at Richland, Washington, on December 13, 1984 and January 8, 1985, were not properly braced or secured against movement within the vehicle to prevent shifting of lading under conditions normally incident to transportation. Specifically, no bracing was used for any of the four shipments which were inspected on these dates.

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

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- C. 49 CFR 173.425(b)(8) requires that packaged shipments of LSA material consigned as exclusive use have the exterior of each outside package marked or stenciled "Radioactive - LSA".

Contrary to the above, at least 66 drums (packages) received at Richland, Washington on December 13, 1984 and January 8, 1985 did not have the exterior of each package marked or stenciled "Radioactive - LSA".

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

Pursuant to the provisions of 10 CFR 2.201, Air Products and Chemicals, Inc. is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or 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. Where good cause is shown, consideration will be given to extending this response time.