

## NOTICE OF VIOLATION

Niblock Excavating, Inc.  
Bristol, Indiana

License No. 13-26181-01  
Docket No. 030-31686

During an NRC inspection conducted on January 13, 1997, with continued NRC in-office review through January 30, 1997, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600 (60 FR 34381; June 30, 1995), the violation is listed below:

Condition No. 19. of License No. 13-26181-01 requires that the licensee conduct its program in accordance with the statements, representations, and procedures contained in application dated June 21, 1995; and letters dated July 22, 1996, August 29, 1996 and October 15, 1996.

Item 8. of the letter dated July 22, 1996, requires, in part, that copies of each authorized user's training certificate be maintained on file.

Contrary to the above, from August 28, 1996 to January 13, 1997, an authorized user's training certificate was not maintained on file.

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

Pursuant to the provisions of 10 CFR 2.201, Niblock Excavating, 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 III, 801 Warrenville Road, Lisle, Illinois 60532-4351 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.

Dated at Lisle, Illinois  
this 7th day of February 1997