

NOTICE OF VIOLATION

ABC Testing, Inc.
Bridgewater, Massachusetts 02324

Docket No. 030-19223
License No. 20-19778-01

During an NRC inspection conducted on January 28 and 29, 1997, 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. 10 CFR 34.11(d)(1) requires, in part, that an applicant have an inspection program that requires the observation of the performance of each radiographer and radiographer's assistant during an actual radiographic operation at intervals not to exceed three months.

License Condition 17 incorporates the inspection program containing the requirements stated in 10 CFR 34.11(d)(1) as submitted in the licensee's application dated January 28, 1992, and letter dated March 22, 1994 into License No. 20-19067-01.

Contrary to the above, as of December 4, 1996, the licensee had not observed the performance of a radiographer involved in radiographic operations since August 20, 1996, an interval in excess of three months.

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

- B. 10 CFR 34.27 requires, in part, that each licensee maintain current utilization logs, which shall be kept available for three years from the date of the recorded events, for inspection by the Commission, at the address specified in the license, showing for each sealed source: the make and model number of the radiographic exposure device or storage container in which the sealed source is located; the identity of the radiographer to whom assigned; and the plant or site where used and dates of use.

Contrary to the above, on January 28, 1997, the licensee did not maintain utilization logs at its facility located in Bridgewater, Massachusetts for radiographic operations conducted on May 22 and October 17, 1996 at North Andover, Massachusetts.

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

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- C. 10 CFR 34.28(b) requires, in part, that the licensee conduct a program for inspection and maintenance of radiographic exposure devices, storage containers and source exchangers at intervals not to exceed three months or prior to the first use thereafter to ensure proper functioning of components important to safety.

Contrary to the above, as of June 3, 1996, the licensee did not conduct its program for inspection and maintenance on an Amersham Model 660A radiographic exposure device since December 6, 1995, an interval in excess of three months.

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

- D. 10 CFR 20.1101(c) requires that the licensee periodically (at least annually) review the radiation protection program content and implementation. 10 CFR 20.2102(a) requires, in part, that the licensee maintain records of audits and other reviews of the radiation protection program's content and implementation.

Contrary to the above, as of January 28, 1997, the licensee did not conduct a periodic review of its radiation protection program's content and implementation.

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

Pursuant to the provisions of 10 CFR 2.201, ABC Testing, 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.