

NOTICE OF VIOLATION

J & L Specialty Steel, Inc.
Midland, PA 15059

Docket Nos. 030-22151
99990001
License No. 37-20955-01
General

License

During an NRC inspection conducted on January 23, 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 31.5(c)(2) requires, with certain exceptions, that any person who acquires, receives, possesses, uses or transfers byproduct material in a device pursuant to a general license shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six month intervals or at such other intervals as are specified on the label.

Condition 13.A. of NRC License No. 37-20955-01 requires, with certain exceptions noted in Condition 13.E., that sealed sources and detector cells containing licensed material be tested for leakage and contamination at intervals not exceeding six months or at such other intervals as are specified by the certificate of registration referred to in 10 CFR 32.210, not to exceed three years.

Contrary to the above, as of January 23, 1997, the licensee acquired, received, possessed, used, and transferred devices pursuant to a general license and possessed and used sealed sources under NRC License No. 37-20955-01 and did not assure that devices were tested for leakage of radioactive material at no longer than six-month intervals. Specifically, the licensee last tested two Intergrated Industrial Systems gauges containing americium-241, a Texas Nuclear Model 9600 gauge containing iron-55 and cadmium-109, and two Berthold Model LB 300 gauges containing cobalt-60 for leakage in February 1994, September 1994, February 1995, October 1995, February 1996, and August 1996, respectively, a period longer than six months.

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

- B. 10 CFR 31.5(c)(8) requires, in part, that any person who acquires, receives, possesses, uses or transfers byproduct material in a device pursuant to a general license shall, except as provided in 10 CFR 31.5(c)(9), within 30 days after transfer of a device to a specific licensee furnish to the Director of Nuclear Material Safety and Safeguards (NMSS), U.S. Nuclear Regulatory Commission (USNRC), Washington, D.C. 20555, a report containing identification of the device by manufacturer's name and model number and the name and address of the person receiving the device if no replacement device is obtained.

RETURN ORIGINAL TO
REGION I

OFFICIAL RECORD COPY

9702200007 970211
PDR ADOCK 03022151
C PDR

Contrary to the above, on November 3, 1995, the licensee transferred a generally-licensed device to Texas Nuclear Corporation and did not file a report within 30 days of the transaction to the Director, NMSS, USNRC, and no replacement device was obtained.

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

- C. Condition 18 of NRC License No. 37-20955-01 requires, in part, that prior to initial use and after installation, relocation, dismantling, alignment, or any other activity involving the source or removal of the shielding, the licensee assure that a radiological survey is performed to determine radiation levels in accessible areas around, above, and below the device with the shutter open.

Contrary to the above, in late 1993, prior to initial use and after installation, the licensee did not assure that a radiological survey was performed to determine radiation levels in accessible areas around, above, and below devices with the shutter open. Specifically, new mold casters were made and installed for the Berthold System, Inc. mold level gauges and the licensee did not assure that the appropriate surveys were made.

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

Pursuant to the provisions of 10 CFR 2.201, J & L Specialty Steel, 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.