

NOTICE OF VIOLATION

Alt & Witzig Engineering, Inc.
Indianapolis, Indiana

Docket No. 030-14041
License No. 13-18685-01

During an NRC inspection conducted on September 16, 18, 19 and 20, 1996 with continuing NRC review through November 1, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (60 FR 34381, dated June 30, 1995), the violations are listed below:

1. 10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.

49 CFR 173.475 states, in part, that before each shipment of any radioactive materials package, the shipper ensure by examination or appropriate tests that the packaging is in unimpaired physical condition.

Contrary to the above as of September 16, 1996, the licensee failed to examine or test a package containing 10 millicuries (0.37 GBq) of cesium-137 and 50 millicuries (1.9 GBq) of americium-241 to ensure the package was in unimpaired physical condition before each shipment. Specifically on September 3, 1996, a CPN transportation case possessed a large crack in the top of the case.

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

2. Condition 25 of License No. 13-18685-01 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in a letter received December 31, 1990.

The letter received on December 31, 1990 states, in part, that current gauge locations and appropriate diagrams will be submitted to the NRC when changes have occurred at any of these locations.

Contrary to the above as of November 1, 1996, the licensee did not submit gauge locations and appropriate diagrams when changes occurred at those locations. Specifically, the LaFayette, Indiana facility address changed to 3311 Imperial Parkway, Suite F on or about September 1994, the Terra Haute, Indiana facility address changed to 1400 Pugh St, Suite 23 Kenbell Plaza on or about November 1995, and the South Bend, Indiana facility address changed to 3725 Foundation Ct. on or about January 1995.

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

3. The letter received on December 31, 1990 states, in part, gauge users will be audited every 6 months.

Contrary to the above, gauge users at the Evansville, Indiana facility had not been audited from November 1995 to September 1996, a period exceeding 6 months.

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

4. 10 CFR 20.1501 requires that each licensee make or cause to be made surveys that may be necessary for the licensee to comply with the regulations in Part 20 and that are reasonable under the circumstances to evaluate the extent of radiation levels, concentrations or quantities of radioactive materials, and the potential radiological hazards that could be present.

Pursuant to 10 CFR 20.1003, survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation.

Contrary to the above as of September 19, 1996, the licensee did not make surveys to assure compliance with 10 CFR 20.1902, which requires the licensee to post each radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIATION AREA." Pursuant to 10 CFR 20.1003, a radiation area means an area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 0.005 rem (0.05 mSv) in 1 hour at 30 centimeters from the radiation source or from any surface that the radiation penetrates. Specifically at the LaFayette, Indiana facility, radiation levels inside the licensee's facilities were in excess of 0.005 rem (0.05 mSv) in 1 hour at 30 centimeters from a gauge storage room surface.

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

Pursuant to the provisions of 10 CFR 2.201, Alt & Witzig Engineering, 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 25th day of November 1996