

FEB 13 1997

Docket No. 030-08578

License No. 29-15105-01

Steven C. Kurtz
Environmental Manager
Tarmac America
P.O. Box 561
Lake Hopatcong, NJ 07849-0561

SUBJECT: INSPECTION NO. 030-08578/97-001

Dear Mr. Kurtz:

On January 29 and 30, 1997, Mr. R. H. Ladun of this office conducted a safety inspection at 1100 Harrison Avenue Kearny, New Jersey and at Route 181 Hopatcong, New Jersey of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with Mr. S. D. Sandbrook of your staff, at the conclusion of the inspection. It is our understanding that you have placed all license material in storage and that you will seek an amendment to your license to name an authorized user as the new radiation safety officer. Licensed material will remain in storage until the NRC approves the amendment request.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the

RETURN ORIGINAL TO
REGION I

OFFICIAL RECORD COPY

200023
9702260226 970213
PDR ADDOCK 03008578
C PDR

Steven C. Kurtz
Tarmac America

-2-

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. The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Your cooperation with us is appreciated.

Sincerely,

ORIGINAL SIGNED BY:

Jenny M. Johansen, Chief
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

Docket No.: 030-08578
License No.: 29-15105-01

Enclosure:
Notice of Violation

cc w/enclosure:
State of New Jersey

OFFICIAL RECORD COPY

Steven C. Kurtz
Tarmac America

-3-

Distribution: w/encl

PUBLIC

Nuclear Safety Information Center (NSIC)

Region I Docket Room (w/concurrences)

D. J. Holody, RI

DOCUMENT NAME: R:\WPS\MLDL\03008578.971

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	<input checked="" type="checkbox"/> N	DNMS/RI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME	RLadun/gcb		JJohansen				
DATE	02/11/97		02/12/97		02/ /97		02/ /97

OFFICIAL RECORD COPY