

APPENDIX

NOTICE OF VIOLATION

Gilbert Central Corporation  
Oklahoma City, Oklahoma 73121

Docket: 030-20299  
License: 35-23138-01

During an NRC inspection conducted on July 24, 1985, violations of NRC regulations were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985), the violations are listed below:

1. License Condition 10 requires licensed material to be used at 8412 S.W. 8th, Oklahoma City, Oklahoma, and at temporary job sites of the licensee anywhere in the United States where the U. S. NRC maintains jurisdiction for regulating the use of licensed material.

Contrary to the above, on July 24, 1985, the licensee had moved his permanent facility to 3591 N.E. 50th Street, Oklahoma City, Oklahoma.

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

2. License Condition 13.A(1) requires, in part, that each sealed source containing licensed material be tested for leakage and/or contamination at intervals not to exceed 6 months.

Contrary to the above, a sealed source containing 8.8 millicuries of cesium-137 and 40 millicuries of americium-241:beryllium, serial numbers 40-8420 and 4F-6376, respectively, was not tested for leakage and/or contamination at 6 month intervals during the period August 14, 1984, to July 24, 1985.

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

3. 10 CFR 19.11(a) or (b) and (c) requires, in part that the licensee post current copies of certain documents, or post a notice which describes the documents and states where they may be examined, and post Form NRC-3.

Contrary to this requirement, neither the documents described in 10 CFR 19.11(a), nor the notice in 10 CFR 19.11(b), nor the Form NRC-3 in 10 CFR 19.11(c) were posted on July 24, 1985.

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

4. 10 CFR 30.51(a) requires, in part, that each person who receives byproduct material pursuant to a license, keep records showing the receipt of such byproduct material.

Contrary to this requirement, at the time of inspection records were not maintained showing the receipt of byproduct material (cesium-137 and americium-241:beryllium sealed sources) now in the possession of the licensee.

This is a Severity Level V Violation (Supplement VI).

5. 10 CFR 71.5(a) requires, in part, that no licensee shall transport any licensed material outside the confines of his plant or other place of use, or deliver any licensed material to a carrier for transport, unless the licensee complies with applicable requirements of the regulations appropriate to the mode of transport of the DOT in 49 CFR Parts 170-189.

49 CFR 173.476(a) requires, in part, that each shipper of special form radioactive materials shall maintain performance test records for each source design on file for at least one year after the latest shipment.

Contrary to this requirement, performance test records for each source design were not maintained for inspection on July 24, 1985.

This is a Severity Level V Violation (Supplement V).

Pursuant to the provisions of 10 CFR 2.201, Gilbert Central Corporation is hereby required to submit to this office within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violations if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,  
this 4<sup>th</sup> day of September, 1985.