

APPENDIX A

NOTICE OF VIOLATION

Civil Engineering Associates, Inc.  
Shelburne, Vermont 05482

Docket No. 030-17589  
License No. 44-19424-01

As a result of the inspection conducted on May 2 and 3, 1985, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violations were identified:

- A. License Condition No. 12 requires licensed material to be used by or under the supervision and in the physical presence of specifically authorized individuals.

Contrary to this requirement, for about the past year or more, licensed material has been used by an individual not authorized by this license and not under the supervision or in the physical presence of specifically authorized individuals.

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

- B. License Condition No. 10 states licensed material may be stored at the licensee's authorized facilities located on Route 7, Shelburne, Vermont.

Contrary to this requirement, during 1983 the licensee relocated to a different address within the same community of Shelburne, Vermont and has stored licensed materials in the new facility at the Shelburne Professional Building, Falls Road, Shelburne Vermont since that date.

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

- C. License Condition No. 15 requires the licensee to conduct a physical inventory every six months to account for all sealed sources received and possessed under the license.

Contrary to this requirement, since the date that the licensed material was received by the licensee, no physical inventories have been conducted by the licensee to account for all sealed sources received and possessed.

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

- D. License Condition No. 14 requires that each sealed source containing licensed material shall be tested for leakage and/or contamination at intervals not to exceed six months.

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Contrary to this requirement, since June 1982, no tests for leakage and/or contamination have been performed on sealed sources containing licensed material possessed by the licensee.

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

- E. License Condition No. 7 states that the licensee shall possess and use licensed material in accordance with statements, representations, and procedures contained in application dated May 30, 1980.

Item 15 of this application, the accepted Radiation Safety Program recommended by the gauge manufacturer, requires that:

1. The Nuclear Gauge will be securely restrained in vehicles to prevent theft or loss while unattended or in an accident. Metal clamps, chains, or bars will be used.
2. The Nuclear Gauge and its shipping case will be hidden from view while in an unattended vehicle to minimize attractive nuisance value.

Contrary to these requirements, on the dates of this inspection and at most other times, according to information supplied by the licensee, the nuclear gauge was not securely restrained within the vehicle and was not hidden from view as specified.

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

Pursuant to the provisions of 10 CFR 2.201, Civil Engineering Associates, Inc. is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.