

NOTICE OF VIOLATION

Emergi-Lite
Westbrook, Connecticut

Docket No. 030-32096
License No. 06-28618-01G

During an NRC inspection conducted on March 26, 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 32.52(a) and (b) require, in part, that each person licensed under 10 CFR 32.51 to initially transfer devices to generally licensed persons report to the Director of Nuclear Material Safety and Safeguards, USNRC, Washington, D.C. 20555-0001 and to the responsible Agreement State agency respectively, all transfers of such devices to persons for use under the general license in 10 CFR 31.5. The report must identify each intermediate person who will temporarily possess the device at the intended place of use prior to its possession by the user, and include the identification of each intermediate user by name, address, contact, and relationship to the intended user.

Contrary to the above, as of March 25, 1997, the licensee transferred devices to generally licensed persons and did not identify each intermediate person who temporarily possessed the device at the intended place of use prior to its possession by the user in the reports to the Director of Nuclear Material Safety and Safeguards, USNRC and to the responsible Agreement State agencies.

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

- B. Condition 15 requires that the licensee conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, in the application dated March 1, 1991 and the letter dated May 29, 1991.

1. Item 8 of the letter dated May 29, 1991, requires, in part, that quarterly swipes for removable contamination be performed of the storage area for the tritiated exit signs.

Contrary to the above, as of March 25, 1997, the licensee did not perform quarterly swipes for removable contamination of the storage area for the tritiated exit signs. Specifically, the removable contamination surveys were performed on a semi-annual basis.

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

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2. Item 1 of the Emergi-Lite memorandum dated March 24, 1991, enclosed with the letter dated May 29, 1991, requires, in part, that the licensee inspect each shipment of signs received.

Contrary to the above, as of March 25, 1997, the licensee did not inspect each shipment of signs received. Specifically, licensee personnel stated to the inspector that they did not examine each sign received for damage when the signs were placed in the storage room or when they were taken out of the storage room for shipment.

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

Pursuant to the provisions of 10 CFR 2.201, Emergi-Lite 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.