

## Appendix

### NOTICE OF VIOLATION

Mobay Chemical Corporation

License No. 24-03830-01

As a result of the inspection conducted on October 4, 1985, and in accordance with the General Policy and Procedures for NRC Enforcement Actions, (10 CFR Part 2, Appendix C), the following violations were identified:

1. 10 CFR 20.105(b) requires that radiation levels in unrestricted areas be limited so that if an individual were continuously present in the area, he could not receive a dose in excess of 2 millirems in any hour or 100 millirems in any seven consecutive days.

Contrary to this requirement, on the day of this inspection, October 4, 1985, radiation levels existed adjacent to a cesium-137 level gauge of such a magnitude that if an individual had been continuously present in the area, he could have received a dose in excess of 2 millirems in any one hour. Specifically, the NRC inspector measured radiation levels of 5-7 millirems per hour at approximately 12 inches from a gauge (Ohmart Model ELG-08) containing a nominal 300 millicurie cesium-137 source, mounted on equipment No. 9.1B1.

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

2. 10 CFR 20.201(b) requires that a licensee make or cause to be made such surveys as (1) may be necessary to comply with the regulations in this part, and (2) are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to the above, as of the date of this inspection, October 4, 1985, you failed to perform such surveys (evaluations) as were necessary to assure compliance with 10 CFR 20.101, "Radiation Dose Standards for Individuals in Restricted Areas." Specifically, you failed to evaluate the whole body dose to numerous individuals who lost or otherwise did not submit their assigned film badges for processing during numerous months in 1983 to the present.

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

3. License Condition No. 21 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

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The referenced application received January 26, 1976, Item 2, and letter dated August 31, 1983, Item 11, state that your Victoreen Model 490 survey meter will be calibrated every six months and yearly, respectively.

Contrary to this requirement, one of your Victoreen Model 490 survey meters has not been calibrated at least yearly. Specifically, the Victoreen Model 490 meter used by your Instrument and Electrical/Maintenance Departments, has not been calibrated since January 1983.

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

4. 10 CFR 20.203(f) requires that each container housing licensed material in excess of specified amounts bear a durable, clearly visible label identifying the radioactive contents; this label shall bear the radiation caution symbol and the words "Caution, Radioactive Material" or "Danger, Radioactive Material."

In addition, Item 8(E) of your letter dated September 25, 1984, referenced in License Condition 21, states that equipment on which sources are mounted shall be posted at access parts and/or manways with signs bearing the yellow and magenta radiation warning symbol and the words "Caution Radioactive Material, Do Not Enter Without Permission of the Radiation Safety Personnel."

Contrary to the above, on the day of this inspection, October 4, 1985, at least two Kay Ray gauges each containing a nominal 1.0 curie cesium-137 source, did not bear a label identifying the radioactive contents or the radiation caution symbol and required information.

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

5. License Condition No. 20, Amendment No. 24, and Condition No. 23, Amendment No. 20, require you to conduct a physical inventory every six months to account for all sealed sources used in industrial gauging devices. The records of the inventories shall be maintained for two years from the date of the inventory, and shall include certain specified information.

Contrary to this requirement, records of physical inventories have not been maintained since inception of this requirement.

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

6. License Condition No. 21 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

The referenced application received January 26, 1976 states in Item 3 that radiation surveys will be made after a gauge installation is complete. Measurements will be made at several points describing a circle around the device and results recorded on survey maps. Copies of survey results will be maintained for inspection.

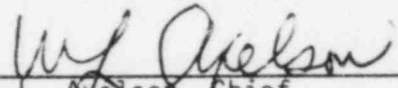
Contrary to this requirement, records of radiation survey results around gauge installations have not been maintained. Specifically, no records of radiation survey results were available for two cesium-137 Kay Ray gauges which you installed in 1985.

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

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

Dated

10/25/85

  
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W. L. Axelsson, Chief  
Nuclear Materials Safety  
and Safeguards Branch