

APPENDIX A  
NOTICE OF VIOLATION

Exxon Research and Engineering Co.  
Linden, New Jersey 07036

Docket No. 030-05310  
License No. 29-05260-13

As a result of the inspection conducted on September 9-10, 1985, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violations were identified:

- A. 10 CFR 71.5(a) requires that no licensee deliver any licensed material to a carrier for transport without complying with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation in 49 CFR Parts 170-189.

1. 49 CFR 173.475(i) requires that prior to each shipment of any package, the shipper ensure by examination or appropriate test that the external radiation and contamination levels are within allowable limits.

Contrary to the above, on June 25, 1984, five packages of radioactive waste containing uranium were shipped from your facility, without a removable surface contamination determination or a determination of the dose rate at the surface or a determination of the transport index.

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

2. 49 CFR 172.202(a)(4) and 49 CFR 172.203(d)(1)(iii) requires that the shipping description of a hazardous material on a shipping paper must include the total quantity by weight of the hazardous material and the activity contained in each package of the shipment in terms of curies, millicuries or microcuries.

Contrary to the above, on June 25, 1984, a shipment of hazardous material containing uranium as radioactive waste was made with shipping papers which did not include the weight of the hazardous material nor the activity contained in each package of the shipment.

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

- B. Condition 13. of License No. 29-05260-13 requires that sealed sources containing byproduct material be tested for leakage and/or contamination at intervals not to exceed six months.

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Contrary to the above, as of September 9, 1985, a sealed source containing 15 millicuries of nickel-63 was not tested for contamination or leakage during the year of 1985, an interval of more than six months.

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

- C. Condition 18. of License No. 29-05260-13 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in an application dated March 27, 1979, and letter dated May 17, 1979.

Item 15. of this application, Radiation Protection Program, requires that procedures contained in the "Radiation Control Manual" be followed.

Section 2.3.3.1 of the "Radiation Control Manual" contains rules to minimize accidental ingestion of radioactive material. Specifically, eating in a radioisotope laboratory is prohibited.

Contrary to this, on September 9, 1985, the inspectors observed a full coffee cup on a desk in a radioisotope laboratory of the Clinton facility.

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

Pursuant to the provisions of 10 CFR 2.201, Exxon Research and Engineering Co. 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.