

NOTICE OF VIOLATION

H. J. Heinz Co.
Pittsburgh, PA 15230

Docket No. 030-05997
License No. 37-00533-02

During an NRC inspection conducted on March 25, 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. License Condition 11.B. of NRC License No. 37-00533-02 names a specific individual as radiation safety officer.

Contrary to the above, as of March 25, 1997, the named individual has not been the Radiation Safety Officer. Specifically, the named individual left employment of the licensee in 1993.

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

- B. License Condition 17 of NRC License No. 37-00533-02 requires that a physical inventory be conducted every six months to account for all sources and/or devices received and possessed under the license.

Contrary to the above, as of March 25, 1997, the licensee has failed to conduct a physical inventory every six months. Specifically the last inventory was conducted February 27, 1996 a time interval greater than six months. In addition, the last inventory did not include a device containing approximately 100 millicuries of americium-241.

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

- C. License Condition 14 of NRC License No. 37-00533-02 requires that a gauge has its shutter tested for the proper operation of the on-off mechanism and indication at no longer than six month intervals.

Contrary to the above, as of March 25, 1997, the licensee has failed to test the shutter on-off mechanisms of three americium-241 gauges and two Cesium-137 gauges at six month intervals.

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

Pursuant to the provisions of 10 CFR 2.201, H. J. Heinz Company 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

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REGION I

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"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.