

APPENDIX A
NOTICE OF VIOLATIONS

Department of the Interior
Western Archeological Center
P. O. Box 41058
Tucson, Arizona

Docket No. 030-19531
License No. 02-19920-01

During an NRC inspection conducted on February 3, 1988, certain violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987), the violations are listed below:

- A. License Condition 13C states, in part, that records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission.

Contrary to the above requirement, records of leak tests for three Troxler gauges (S/N 195, 217 and 8162) had not been maintained for the period of March 21, 1983 to the date of transfer to the University of Arizona on December 6, 1984, a period of twenty-one months.

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

- B. License Condition 14 states, in part, that the licensee shall conduct a physical inventory every six months and records of inventory shall be maintained.

Contrary to the above requirement, records of inventory were not maintained for the period of March 21, 1983 to the date of transfer on December 6, 1984, a period of twenty-one months, for three Troxler gauges (S/N 195, 217 and 8162).

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

- C. 10 CFR 30.51(a) states, in part, that each person who receives byproduct material under a license issued pursuant to the regulations in this part shall keep records showing the receipt, transfer and disposal of such byproduct material.

Contrary to the above requirement, a record of receipt was not maintained for a Troxler gauge, S/N 195, which was located at the University of Arizona.

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

- D. 10 CFR 20.102 states, in part, that the licensee shall retain and preserve exposure records until the Commission authorizes their disposition.

Contrary to the above requirement, exposure records from the date of the last inspection on March 21, 1983 to the date of transfer of all licensed

material to the University of Arizona on December 6, 1984 were not maintained by the licensee.

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

- E. 10 CFR 71.5 states, in part, that each licensee who transports licensed material outside the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, shall comply with the applicable requirements of the regulations appropriate to the mode of transport of DOT in 49 CFR Parts 170 through 189. 49 CFR 173.415(a) states, in part, that each shipper of a specification 7A package must maintain on file a complete documentation of tests and an engineering evaluation or comparative data showing that the package is constructed in accordance with DOT design requirements.

Contrary to the above requirement, at the time of the inspection, the documentation related to the above mentioned performance tests had not been maintained.

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

- F. 10 CFR 71.5 states, in part, that each licensee who transports licensed material outside the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, shall comply with the applicable requirements of the regulations appropriate to the mode of transport of DOT in 49 CFR Parts 170 through 189. 49 CFR 173.476(a) states, in part, that each shipper of special form radioactive material shall maintain on file a complete safety analysis, including documentation of any tests, demonstrating that the special form material meets DOT requirements. An IAEA Certificate of Competent Authority may be used to satisfy this requirement.

Contrary to the above requirement, at the time of the inspection, neither the safety analysis nor the Certificate of Competent Authority had been maintained.

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

Pursuant to the provisions of 10 CFR 2.201, Department of Interior, Western Archeological Center, is hereby required to submit a written statement or explanation to the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region V with 30 days of the date of the letter transmitting this 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 if admitted, (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. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown.

FOR THE NUCLEAR REGULATORY COMMISSION

James L. Montgomery

James L. Montgomery, Chief
Nuclear Materials Safety and
Safeguards Branch

Dated at Walnut Creek, California
this 26 day of February, 1988