

NOTICE OF VIOLATION

Trumbull Corporation
Pittsburgh, Pennsylvania

Docket No. 030-16010
License No. 37-19062-01

During an NRC inspection conducted on May 20 and 21, 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 71.5 requires, in part, that each licensee who transports licensed material outside the site of usage, as specified in the NRC license, or where transport is on public highways, comply with the applicable requirements of the Department of Transportation regulations in 49 CFR Parts 170 through 189 appropriate to the mode of transport.

Pursuant to 49 CFR 172.101, radioactive material is classified as a hazardous material.

1. 49 CFR 172.324(b) requires that for each non-bulk package that contains a hazardous substance the letters "RQ" be marked on the package in association with the proper shipping name.

Contrary to the above, as of May 21, 1997, the licensee transported, on public highways, Type A packages containing approximately 40 millicuries of americium-241, which is a reportable quantity of a hazardous substance pursuant to 49 CFR 171.8 and Table 2 of Appendix A to 49 CFR 172.101, and the exterior of packages were not stenciled or otherwise marked "RQ."

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

2. 49 CFR 172.702(a) requires that a hazmat employer ensure that each of its hazmat employees is trained in the requirements prescribed in Subpart H. 49 CFR 172.704(c)(2) requires that a hazmat employee receive training required by Subpart H at least once every three years.

Contrary to the above, as of May 21, 1997, the licensee (i.e., the hazmat employer) did not ensure that each of its hazmat employees were trained in the requirements as prescribed in Subpart H. Specifically, all of the licensee's hazmat employees never received hazmat training.

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

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3. 49 CFR 177.842(d) requires that packages must be so blocked and braced that they cannot change position during conditions normally incident to transportation.

Contrary to the above, between February 1997 and May 21, 1997, packages were not blocked and braced so that they could not change position during conditions normally incident to transportation. Specifically, the licensee used sandbags placed about the gauge in its transport case to prevent the case from moving, an inadequate means of preventing movement of the transport case.

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

- B. Condition 15 of the license requires that the licensee conduct a physical inventory every six months to account for all sealed sources and devices containing licensed material received and possessed under the license.

Contrary to the above, as of May 21, 1997, the licensee did not conduct a physical inventory every six months to account for all sealed sources and devices containing licensed material received and possessed under the license.

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

- C. Condition 20 requires, in part, that the licensee conduct its program in accordance with the statements, representations, and procedures contained in the application dated February 24, 1995, the letter dated April 5, 1995, and the facsimile received April 18, 1995.

1. Item 10 of the application dated February 24, 1995, requires, in part, that at least one survey instrument capable of measuring between 0.1 millirem per hour and 100 millirem per hour will be maintained at each jobsite.

Contrary to the above, as of May 21, 1997, a survey instrument was not maintained at each jobsite. Specifically, the licensee possessed a survey instrument which was maintained at the West Mifflin, Pennsylvania office and was not dispatched to field sites while work was in progress.

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

2. Item 10 of the letter dated April 5, 1995, requires, in part, that the Radiation Safety Officer keep and maintain logs of devices including the date(s) of use, name(s) of authorized users responsible for the gauge and locations of jobsites or storage areas where the gauge(s) will be stored or used.

Contrary to the above, as of May 21, 1997, the Radiation Safety Officer did not complete and maintain logs of devices with all of the required information. Specifically, the log was not completed each time gauges were taken out of storage from West Mifflin, Pennsylvania for use or storage at temporary job sites.

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

3. Figure 2 of the facsimile received April 18, 1995, requires that the permanent storage location at 4500 Neville Road, Neville Island, Pennsylvania be in the basement of the office building.

Contrary to the above, from early 1996 until May 21, 1997, the permanent storage location at 4500 Neville Road, Neville Island, Pennsylvania was not in the basement of the office building. Specifically, the storage area was a locked shed outside of the office building.

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

Pursuant to the provisions of 10 CFR 2.201, Trumbull Corporation 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.