

NOTICE OF VIOLATION

E.S.C. Resources, Inc.
Montgomery, IL

Docket No. 9999-0003
License No. IL-01283-01

As a result of a review of your NRC Form 241 submitted on February 3, 2000, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 150.20(a) provides in part that any person who holds a specific license from an Agreement State is granted an NRC general license to conduct the same activity in non-Agreement States subject to the provisions of 10 CFR 150.20(b).

10 CFR 150.20(b)(1) requires, in part, that any person engaging in licensed activities in non-Agreement States shall, at least 3 days before engaging in each such activity, file four copies of NRC Form-241, "Report of Proposed Activities in Non-Agreement States," and four copies of its Agreement State specific license with the Regional Administrator of the appropriate NRC regional office.

Contrary to the above, E.S.C. Resources, Inc., a licensee of the State of Illinois, an Agreement State, failed to file four copies of the NRC Form-241 and four copies of its Agreement State specific license with the Regional Administrator at least 3 days before engaging in licensed activities in Indiana and Wisconsin (non-Agreement states). Specifically, the licensee did not provide NRC Form 241 for work conducted in Indiana and Wisconsin on January 18 and 24, 2000, until February 3, 2000.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance was achieved is already adequately addressed on the docket in letter dated January 15, 1999, received on February 3, 2000. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001.

Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

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If you choose to respond your response will be placed in the NRC Public Document Room (PDR), therefore, 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.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 10th day of February 2000