

July 19, 2005
EN-05-022

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: High Mountain Inspection Services
Mills, Wyoming
Docket No. 030-33887

EA-05-064

Subject: ISSUANCE OF A NOTICE OF VIOLATION WITH A CIVIL PENALTY

This is to inform the Commission that a Severity Level III Notice of Violation (NOV) with a \$6,000 Civil Penalty (CP), will be issued on or about July 22, 2005, to High Mountain Inspection Services, Inc. (licensee), as a result of a routine, unannounced inspection of industrial radiography operations at a refinery in Wyoming. The Severity Level III problem consisted of two violations: (1) a failure to meet the requirements of 10 CFR 34.41(a) regarding the qualifications of radiography personnel and (2) a related failure to equip an individual with the radiation monitoring equipment required by 10 CFR 34.47(a). Specifically, the inspection found that the licensee was utilizing a refinery employee as a second radiographer, but failed to properly train this individual and equip him with the required radiation monitoring equipment. A Severity Level IV violation will also be issued (without a CP) because the licensee failed to follow operating procedures contained in License Condition 18 that require the RSO or alternate RSO to provide all training of radiography personnel.

Because this was not the first escalated enforcement action within 2 years, the staff considered whether credit was warranted for identification and corrective action. Credit was not warranted for identification because the violations were identified by the NRC. Credit was warranted for corrective action because the licensee has committed (1) to using only qualified High Mountain radiography personnel in the future who (2) will be equipped with all required monitoring equipment, and to (3) discontinue the practice of allowing High Mountain radiographers to train personnel from customer locations to act as the second qualified individual required when radiographic operations are performed at temporary job sites.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Final Significance Determination	July 22, 2005
Telephone Notification of Licensee	July 22, 2005

The Director of the Wyoming Radiation Control Program will be notified.

Contacts: M. Schwartz, OE, 415-1888 C. Nolan, OE, 415-3360

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

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