

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS BEEN NOTIFIED**

February 07, 2011  
EN-10-041A

**OFFICE OF ENFORCEMENT**  
**NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION**

**Licensee:** Superior Well Services, Ltd.  
Indiana, PA

EA -10-077

**Subject:** CONFIRMATORY ORDER (EFFECTIVE IMMEDIATELY)

This is to inform the Commission that a Confirmatory Order will be issued on or about February 10, 2011, to the Superior Well Services, Ltd. (SWS), confirming commitments reached as part of an alternative dispute resolution (ADR) mediation settlement agreement. The commitments were made as part of an agreement between SWS and the NRC concerning a Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the amount of \$34,000 issued by the NRC on October 21, 2010. The Notice was issued for five violations that were categorized into two severity level (SL) III problems. The first SL III problem involved three violations related to the temporary loss of two radioactive well logging sources. The second SL III problem involved two violations related to the deliberate failure to conduct radiological surveys and the creation of inaccurate survey records.

The ADR mediation session was conducted on January 4, 2011, and an agreement in principle was reached. SWS agreed with the NRC regarding the occurrence of the three violations that comprised the first SL III problem. SWS and the NRC agreed to disagree regarding the occurrence of the two violations that comprised the second SL III problem. However, SWS took several actions addressing the violations involved in both SL III problems prior to a pre-decisional enforcement conference (PEC) that was held regarding this matter on September 2, 2010, and took additional actions on its own volition after the PEC. SWS also agreed to take further actions as a result of the ADR mediation session to address all of the violations, to ensure that the corrective actions are effective, and to ensure that lessons learned from these events are extended to the well logging industry. In light of the actions already taken by SWS, as well as the additional actions SWS committed to take, the NRC agreed to reduce the amount of the CP to \$17,000 and SWS agreed to pay this amount.

It should be noted that the licensee has reviewed a draft of the Confirmatory Order, and has signified its acceptance by signing a Consent and Hearing Waiver form.

The schedule of issuance and notification is:

Mailing of Notice	February 10, 2011
Telephone Notification of Licensee	February 10, 2011

The Commonwealth of Pennsylvania, the State of West Virginia, and the State of Michigan will be notified.

CONTACTS: Leelavathi Sreenivas, OE, 301-415-1285

Nick Hilton, OE, 301-415-3055

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Electronic Distribution: EN-10-041A, February 07, 2011

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<b>OFFICE</b>	OE:ES	OE:BC
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<b>DATE</b>	02/07/2011	02/07/2011

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