



May 23rd, 2011

Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Subject: EA-08-158

Attention: Region 1, Regional Administrator William Dean,

Dear Mr. Dean,

This letter is in regards to a phone conversation on May 23rd, 2011, I had with Craig Gordon and Blake Welling regarding the Confirmatory Order (EA-08-158) dated March 10, 2009 specifically item 3F, inspection of radiographers 3 times per year during 2009. In the last paragraph in section V it states "The Regional Administrator, Region 1, may, in writing, relax or rescind any of the above conditions upon demonstration by the licensee of good cause."

Quality Inspection Services, Inc (QISI) is asking the Regional Administrator to review the below explanation of what happened during the 2009 calendar year for Item 3F of the order. We are asking the Regional Administrator to relax the condition in Item 3F for the audits of radiographers be conducted by the CRSO only during March 10th 2009 to December 31st 2009 time frame. QISI is not making any excuses for the error, and I Douglas Miskell CRSO, is taking responsibility for the error in misreading the ADR. The below is a full explanation of why the radiographer audits had not been performed by the CRSO.

During our meeting in on December 2nd & 3rd 2009 with Craig Gordon, Marie Miller, Douglas Murdock (office RSO) and myself (Douglas Miskell CRSO) it was noted that I miss read the ADR Item 3F. I acknowledged and took full responsibility for the error regarding inspection of radiographers 3 times per year. Theses inspections had in fact taken place at least 3 times, sometimes more, from March thru December of 2009 by Douglas Murdock the RSO for that facility. During these inspections Mr. Murdock and I had phone conversations to discuss the inspection results he performed. During my visits to the Connecticut office I would initial the inspection reports which I showed both Craig Gordon and Marie Miller during the December meeting and again during our recent meeting April 25th, 2011.

At the conclusion of our meeting in December 2009 I was told moving forward that I (CRSO) was to perform the inspections at a minimum of 3 times per year for each radiographer, which I did starting January 2nd, 2010. I was under the impression from both Craig Gordon and Marie Miller, because I am unable to go backwards, that from this point forward I perform the inspections 3 times per year at a minimum that was going to be acceptable. It is important to mention that during the 2009 year we only had 6 radiographers and work was very limited during this time frame.

Again I am not making any excuses for my error in reading the ADR Item 3F for the inspections of radiographers. Once I was made aware of my mistake, I took the immediate action to correct it. I am just looking to get this enforcement action completed to the satisfaction of both the NRC as well as QISI without any further issues.

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Quality Inspection Services, Inc would also like to let the Regional Administrator know that during the calendar years 2008, 2009, 2010 and the last inspection on April 25th and 26th 2011 by Craig Gordon from region 1 found no violations were noted for the annual radiation safety audits.

During the March 2009 thru December 2009 QISI had only 6 radiographers and they received the following number of safety audits. QISI left the names of the radiographer out of this letter and named them radiographer 1 – 6. As you can see below most of the radiographers received more than the required 3 audits per year as required per the Confirmatory Order.

Radiographer 1	2 audits	Terminated 4-25-2009
Radiographer 2	4 audits	
Radiographer 3	4 audits	
Radiographer 4	3 audits	
Radiographer 5	4 audits	
Radiographer 6	4 audits	

Again QISI is only asking the Regional Administrator to relax the requirement of the CRSO performing the safety audits of radiographers for the 2009 calendar year. All other conditions of the confirmatory order have been met without issue and have been reviewed by Craig Gordon from region 1 as well as the enforcement office. QISI is asking the Regional Administrator to take into account of last four radiation safety audits 2008 – 2011 that no violations had been noted when making your decision for relaxation of Item 3F.

Quality Inspection Services, Inc is working together with all offices whether under NRC or Agreement States jurisdiction to ensure a safe and compliant work place. If you have questions pertaining to the corrective actions please to do not hesitate to contact me at (716) 686-3710 or doug.miskell@applusrtd.com

Thank you,


Douglas Miskell
CRSO-ASNT level III