

September 5, 2012
EN-12-036

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Individual: Mr. James Chaisson, Radiographer, Texas Gamma Ray (IA-12-009)

Subject: CONFIRMATORY ORDER PROHIBITING INVOLVEMENT IN
NRC-LICENSED ACTIVITIES

This is to inform the Commission that a Confirmatory Order will be issued on or about September 10, 2012, to Mr. James Chaisson, a radiographer, confirming commitments reached as part of an alternative dispute resolution (ADR) mediation settlement agreement between Mr. Chaisson and the Nuclear Regulatory Commission (NRC). The order will be immediately effective upon issuance. Specifically, Mr. Chaisson will be prohibited from engaging in NRC-licensed activities for an 18-month period; and will have limited work restrictions for a 4-year period after the 18-month ban has expired. Further, the order requires Mr. Chaisson to notify: (1) the NRC of his involvement in NRC licensed activities for a period of 4 years following the prohibition period; and (2) any employer who performs work in NRC's jurisdiction for 5 1/2-years from issuance of the order.

Previously, a predecisional enforcement conference (PEC) and an ADR session were offered to Mr. Chaisson, but he declined both a PEC and ADR. He submitted a written response postmarked March 23, 2012. The NRC issued an Order prohibiting Mr. Chaisson from working in NRC jurisdiction for a period of 3 years on May 15, 2012. Subsequently, Mr. Chaisson chose to pursue ADR. A mediation session was held on July 26, 2012, at which a preliminary settlement agreement was reached. The confirmatory order will supercede the May 15, 2012 order.

This enforcement action is a result of Mr. Chaisson's lack of credibility and his deliberate actions per 10 CFR 30.10, as he caused the licensee to be violation of NRC requirements. Specifically, while employed by Texas Gamma Ray (TGR) in Rock Springs, Wyoming, he deliberately failed to comply with NRC regulations and TGR's license by storing a radiographic exposure device at a location not authorized by the license, from December 2009 to April 30, 2010. In addition, he deliberately failed to implement NRC security requirements for radiographic operations.

Mr. Chaisson is a radiographer with 27 years experience, 8 of those years as a radiation safety officer (RSO). TGR assigned him as the area supervisor and lead radiographer for Wyoming operations and as such, he was responsible for TGR's radiographic operations in Wyoming. He was listed as the person to contact in case of an emergency in Wyoming. Mr. Chaisson was in possession of a copy of TGR's NRC license and was knowledgeable of the restrictions and security requirements associated with the use and storage of radioactive material. Mr. Chaisson will be informed of the issuance of the action on or about the following dates:

Mailing of Notice	September 10, 2012
Telephone Notification of Individual	September 10, 2012

The State of Louisiana and the State of Texas will be notified on or about the same date.

CONTACTS: Carolyn Faria, OE/EB (301) 415-4050	Nick Hilton, OE (301) 415-2741
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