



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 27, 2001

Docket No. 03033792
EA 01-061

License No. 12-16941-03

Christopher G. Smith
Corporate Radiation Safety Director
Professional Service Industries, Inc.
510 East 22nd Street
Lombard, IL 60148

SUBJECT: INSPECTION 03033792/2001-001, PROFESSIONAL SERVICE INDUSTRIES, INC., PITTSBURGH AND HARRISBURG, PENNSYLVANIA, AND NOTICE OF VIOLATION

Dear Mr. Smith:

On January 17, 22, and 23, 2001, Dick Ladun of this office conducted a safety inspection at the Professional Service Industries, Inc. (PSI) Harrisburg and Pittsburgh facilities of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selected examination of representative records. Additional information provided in the telephone conversation on March 19, 2001 between you and this office was also examined as part of the inspection. The findings of the inspection were discussed with W. H. Stuart of your organization at the conclusion of the inspection and during a telephone call on January 31, 2001.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed that categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

One of the violations involves the performance of radiography in Pennsylvania on August 17, 1999, by an individual who was not certified through a radiographer certification program by a certifying entity. Certification is required by NRC regulations for radiographers performing radiography work in areas subject to NRC jurisdiction. During the inspection, the NRC determined that this violation appeared to be an isolated occurrence by a single individual at this location for which you identified and took appropriate corrective action. In this case, the individual performed radiography on one occasion after failing a test for certification in June

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W. Stuart
Professional Service Industries, Inc.

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1999. We understand that the individual completed the application to re-take the certification test and was re-trained in July. However, in late August the individual learned that the application was not properly processed, and, therefore, ceased performing radiography at that time. Due to corporate changes, all radiography work at the PSI Pittsburgh facility ceased late in 1999 and did not resume until December 2000. The individual took the certification test in February 2001 and passed. Based on all the information developed during the inspection, this violation is categorized as Severity Level IV.

In accordance with 10 CFR 2.790, a copy of this letter will be placed in the NRC Public Document Room and will be accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html>.

Your cooperation with us is appreciated.

Sincerely,

Original signed by John D. Kinneman

John D. Kinneman, Chief
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
State of Illinois
Commonwealth of Pennsylvania

W. Stuart
Professional Service Industries, Inc.

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	Rladun JDK		Jkinneman JDK			
DATE	3/27/01		3/27/01			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Professional Service Industries, Inc.
Lombard, IL

Docket No. 03033792
License No. 12-16941-03

During an NRC inspection conducted on January 17, 22, and 23, 2001, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG-1600, the violations are listed below:

- A. 10 CFR 34.33(a)(2) requires that each entrance that is used for personnel access to the high radiation area in a permanent radiographic installation will have both visible and audible warning signals to warn of the presence of radiation. The audible signal must be actuated when an attempt is made to enter the installation while the source is exposed.

Contrary to the above, as of January 23, 2001, a personnel entrance door to a permanent radiographic installation located in Pittsburgh, Pennsylvania did not have the required audible warning signal.

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

- B. 10 CFR 34.43(a)(1) requires, in part, that licensees not permit any individual to act as a radiographer until that the individual is certified through a radiographer certification program by a certifying entity in accordance with the criteria specified in Appendix A of 10 CFR Part 34.

Contrary to the above, on August 17, 1999, the licensee permitted an individual to act as a radiographer in Pennsylvania, and at the time, the individual was not certified through a radiographer certification program by a certifying entity in accordance with the criteria specified in Appendix A of 10 CFR Part 34.

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

Pursuant to the provisions of 10 CFR 2.201, Professional Service Industries, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Notice of Violation
Professional Service Industries, Inc.

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If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html>. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

APPENDIX A									
INDUSTRIAL RADIOGRAPHY INSPECTION RECORD (IP 87120)									
REGION 1									
Insp. Record #	2001-001	License #	12-16941-03	Docket #	030-33792				
Licensee Name	Professional Services Industries, Inc.								
Street Address	510 East 22nd Street								
City, State, Zip	Lombard, Illinois 60148								
Location (Authorized Site) Being Inspected	850 Poplar Street, Pittsburgh and 1707 South Cameron Street, Harrisburg, Pennsylvania (field offices)								
Licensee Contact Name	W. H. Stewart				Phone #	630-691-1490			
Priority	1C1	Program Code	3310/3320	Description	Permanent and field site radiography				
Date of Last Inspection:	January 10, 2000			Date of This Inspection	January 17, 22, 23, 2001				
Type of Insp.	Announced		Routine	x	Initial				
	Unannounced	x	Special						
Next Insp. Date	01/2002	Normal	x	Reduced		Extended			
Justification for change in normal inspection frequency:									
Summary of Findings and Actions									
No violations, Clear 591 or letter issued				Non-cited violations					
Violation(s), 591 issued		Violation(s), letter issued		x					
Follow up on previous violations:			None						
Inspector - Printed Name		Richard H. Ladun							
- Signature		/RA/				Date	03/20/01		
Approved - Printed Name		John D. Kinneman							
- Signature		/RA/				Date	03/26/01		

PART I-LICENSE, INSPECTION, INCIDENT/EVENT, AND ENFORCEMENT HISTORY			
1.	AMENDMENTS AND PROGRAM CHANGES		
License amendments issued since last inspection, or program changes noted in the license.			
Amendment No.	Date	Subject	
08	6-27-2000	(b)(7) (C)	change
2.	INSPECTION AND ENFORCEMENT HISTORY		
Unresolved issues; previous and repeat violations; Confirmatory Action Letters; and orders.			
The 1-10-2000 inspection examined past inspection and enforcement history, no previous or repeat violations.			
3.	INCIDENT/EVENT HISTORY		
List any incidents or events reported to NRC since the last inspection. Citing "None" indicates that regional event logs, event files, and the licensing file have no evidence of any incidents or events since the last inspection.			
Review of the inspection files and the ADAMS system reflected no incidents or events reported to the NRC since the last inspection on 1-10-2000.			
PART II - INSPECTION DOCUMENTATION			
NOTE: References that correspond to each inspection documentation topic are in Inspection Procedure 87120, Appendix B, "Industrial Radiography Inspection References."			

The inspection documentation part is to be used by the inspector to assist with the performance of the inspection. Note that not all areas indicated in this part are required to be addressed during each inspection. However, for those areas not covered during the inspection, a notation ("Not Reviewed" or "Not Applicable") should be made in each section, where applicable.

All areas covered during the inspection should be documented in sufficient detail to describe what activities and procedures were observed and/or demonstrated. In addition, the types of records that were reviewed and the time periods covered by those records should be noted. If the licensee demonstrated any practices at your request, describe those demonstrations. The observations and demonstrations you describe in this report, along with measurements and some records review, should substantiate your inspection findings. Attach copies of all licensee documents and records needed to support violations.

1.	ORGANIZATION AND SCOPE OF PROGRAM
Management organization; authorities and responsibilities; authorized locations of use; type, quantity, and frequency of byproduct material use; staff size; delegation of (b)(7)(C) (b)(7)(C) functions; reporting chain-of-command; multiple field offices and temporary job sites.	
Inspector determined that the management organizational structure at the Pittsburgh and Harrisburg field offices were as described in the license application, no major organizational changes since the last inspection. However, the licensee is undergoing staff changes. Operations at the Pittsburgh and Harrisburg offices have been suspended since late 1999. Radiography work had been conducted at the Harrisburg facility but were subcontracted to other local NRC licensees. Radiography operations have begun on a limited basis in December 2000. Full operations are expected in 2001 when personnel can be trained and qualified in accordance with NRC requirements. Each office will have an appointed ARSO and a new ARSO will be appointed in Pittsburgh. Currently no long tem temporary job site activity is being planned at either field office, just day work. The permanent cell at the Pittsburgh office is used when a certified individual is available.	

2.	MANAGEMENT OVERSIGHT
Management support to radiation safety; (b)(7)(C) program audits or inspections; authorized individuals; as low as is reasonably achievable (ALARA) reviews.	

Corporate RSO provides direct support to the radiation safety program at the 2 field offices. Only authorized individuals are permitted to use RAM. Assistant RSO's will oversee the daily operations at the field offices. Program audits are performed at least yearly by the Corporate RSO and ARSO. A new Department Manager has assumed duties at the Pittsburgh office and at the time of this inspection no radiographic operations were being conducted by licensee personnel since there were no third party certified radiographer on the staff.

3.	FACILITIES
Facilities as described; uses; control of access; engineering controls; separation of materials and explosives; containers labeled.	

Facilities at both locations appeared to be as described in the application. Control of access is maintained by lock and key. Engineering controls were in place at the Pittsburgh fixed cell to minimize exposure. The inspector determined that cell was not currently in use. The inspector observed that the large steel sliding door to the facility which is used to bring in equipment contained a smaller door that could be used for personnel entrance by the radiographer. (b)(4)

(b)(4)

(b)(7)(C)

The inspector noted that radiation warning signs were absent from the roof, a possible high radiation area. The licensee advised that the roof had recently been repaired and the signs had been probably removed at that time, and would be replaced before it is used again. The inspector also observed that the road on the north side of the cell had been raised thus possibly allowing access to the cell roof, a possible high radiation area when the source is exposed. The licensee advised that the necessary barriers would be put in place to prevent access before the cell is placed in service.

Exemption 4

4.	EQUIPMENT AND INSTRUMENTATION
Radiography devices, source assemblies, source changers, special equipment meet performance requirements; appropriate survey instruments, dosimeters, alarming rate meters.	
Inspector determined that radiography devices to include associated equipment meet all NRC safety performance requirements. Also appropriate survey instruments, dosimeters, and alarming rate meters were operable and calibrated and ready for use.	

5.	MATERIAL USE, CONTROL, AND TRANSFER
Materials and uses authorized; security and control of licensed materials; and procedures for receipt and transfer of licensed material; inventories; utilization logs.	
Inspector determined that materials and uses are as authorized and that security and control of RAM is maintained. At the time of this inspection all Ram had been placed in temporary storage.	

6.	INSPECTION AND MAINTENANCE
Maintenance program; daily and quarterly inspections; records of defects; source modifications; Type B packages; 10 CFR Part 21 reports.	
Inspector determined that daily and quarterly inspections of safety related equipment had been conducted when the devices had been last used.	
7.	FIELD STATIONS AND TEMPORARY JOB SITES
Documents and records at field stations and temporary job sites; operating and emergency procedures; Agreement State licenses.	
Inspector determined that the operating and emergency procedures were complete and current, ready for operation.	
8.	AREA RADIATION SURVEYS AND CONTAMINATION CONTROL
Radiological surveys (instruments, perimeter, storage devices, post-exposure, post-source exchange, storage area); leak tests (frequency, sealed sources, depleted uranium devices); handling of radioactive materials; records; and public doses.	
Inspector determined that area radiation surveys had been conducted and contamination controls were implemented. All leak tests of sealed sources appeared to be current to include the testing for depleted uranium.	

9.	TRAINING AND INSTRUCTIONS TO WORKERS
Interviews and observations of routine work; staff knowledge of all routine activities; Parts 19, 20, and 34 requirements; training programs, including written tests; supervisor, assistant training.	
<p>The inspector determined by a review of utilization logs that on 8-17-99 that an individual who had not been certified in accordance with 10CFR34.43(a)(1) performed radiography. Discussions with the person indicated that in June 1999 he had taken the test to be certified but failed by 2 questions. He made application again in mid-July 1999 to take the test in August, in Columbus, Ohio and continued to work as a radiographer in accordance with the deadline extension outlined in NRC Information Notice 99-22 dated 25, 1999. However, the previous ARSO had failed to properly process the application. In late August or early September he again made application to take the test in September, this time in Pittsburgh. When this individual determined that the ARSO again failed to process this second application and he was not scheduled to take the retest in September, he ceased performing the duties of a radiographer [note: he had not done any radiography work since 8-17-99]. At this time management decided to cease all radiographic operations at the field offices by PSI personnel pending a reorganization of the staff to include appointing a new ARSO. Based on the good faith effort to comply with 10CFR34.43(a)(1) and the enforcement discretion contained in NRC Information Notice 99-22, the apparent violation required additional review in Region I. See Section 17. A review of the training records of the personnel who did perform radiography in December 2000 indicated that all NRC training requirements were met. The individual who performed radiography on 8/17/99 took the certification test in February 2001 and passed with a score of 88.</p>	
10.	RADIATION PROTECTION
Radiation protection program with ALARA provisions; external dosimetry (dosimeters, direct reading dosimeters, alarming rate meters); exposure evaluations; planned special exposures; dose and survey records and reports; annual notifications to workers; bulletins and other generic communications.	
<p>Inspector determined that NRC bulletins and other generic communications are being disseminated to the field offices. A radiation protection program with ALARA provisions is administered by the Corporate RSO and duties will be delegated to the assistant radiation safety officers. Annual notifications are made to workers. External dosimetry to include alarming rate meters are issued to all authorized individuals when RAM was used.</p>	
11.	RADIOACTIVE WASTE MANAGEMENT
Storage areas; transfer; packaging; control, and tracking procedures; records.	

Not Applicable	
12.	DECOMMISSIONING
Records relevant to decommissioning; decommissioning plan/schedule; notification requirements; cost estimates; funding methods; financial assurance; and Timeliness Rule requirements; changes in radiological conditions since decommissioning plan was submitted.	
Inspector determined that records relevant to decommissioning are being maintained as required.	
13.	TRANSPORTATION
Quantities and types of licensed material shipped; packaging design requirements; shipping papers; hazardous materials (HAZMAT) communication procedures; return of sources; procedures for monitoring radiation and contamination levels of packages; HAZMAT training; and records and reports.	
Not Inspected	
14.	NOTIFICATIONS AND REPORTS
Reporting and followup of theft; loss; incidents; overexposures; radiation exposure reports to individuals; reporting Part 21 defects and certain equipment failures.	
A review of the inspection files indicated that no notifications and reports were made to the NRC since the last inspection on 1-10-2000.	
15.	POSTING AND LABELING
Notices; license documents; regulations; bulletins and generic information; area postings; and labeling of containers of licensed material; markings.	
Inspector determined that all required postings and labeling were in place or would be in place at the facilities when radiography would be performed. For more details regarding radiation sign postings refer to Section 3.0 of this report.	
16.	INDEPENDENT AND CONFIRMATORY MEASUREMENTS
Areas surveyed and measurements made; comparison of data with licensee's results and regulations; and instrument type and calibration date.	
The inspector performed radiation surveys of the storage areas. All readings were well below NRC allowable limits. Ludlum Model 14C, calibration date 1/2001, was used.	

17.	VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES
State requirement and how and when licensee violated the requirement. For NCVs, indicate why the violation was not cited. Attach copies of all licensee documents needed to support violations.	
1) 10CFR 34.43 (a) (1) requires that a radiographer be certified by a third party. On 8-17-99 a radiographer performed work and had not been certified.	
2) 10 CFR34.29 (b) requires that the personnel access entrance to a cell be alarmed. A door to the Pittsburgh cell was not alarmed.	

18.	PERSONNEL CONTACTED		
Identify licensee personnel contacted during the inspection (including those individuals contacted by telephone). Use # to indicate individual present at entrance meeting. Use * to indicate individual present at exit meeting.			
Name	Title	Phone No.	In Person or By phone
W. H. Stuart	Department manager	630-691-1490	#*
C. Smith	Corporate RSO		Phone
R. Dovicsah	ARSO		Phone
J. Bastardi	Radiographer		
C. Granatire	Assistant Radiographer		#*

19.	PERFORMANCE EVALUATION FACTORS					
A.	Lack of senior management involvement with the radiation safety program and/or ^{(b)(7)} _(C) oversight.	Y		N	x	
B.	^{(b)(7)} _(C) too busy with other assignments.	Y		N	x	
C.	Insufficient staffing.	Y		N	x	
D.	RSC fails to meet or functions inadequately.	N/A	x	Y		N
E.	Inadequate consulting services or inadequate audits conducted.	N/A		Y		N
REMARKS :(Consider the above assessment and/or other pertinent Performance Evaluation Factors (PEFs) with regard to the licensee's oversight of the radiation safety program)						

Oversight appears sufficient.

20.	SPECIAL CONDITIONS OR ISSUES	
NONE	<input checked="" type="checkbox"/>	Special license conditions; year-2000 effects of computer software and embedded systems.

PART III - POST- INSPECTION ACTIVITIES

1.	REGIONAL FOLLOWUP ON PEFs	
Not Applicable		

2.	DEBRIEF WITH REGIONAL STAFF	
Post-inspection communication with supervisor, regional licensing staff, Agreement State Officer; and/or State Liaison Officer.		
Discussed inspection results with supervisor.		

3.	YEAR-2000 ISSUES	
Convey, to the NMSS Year-2000 Coordinator, all year-2000 licensee-identified problems and corrective actions taken.		
None		

TO ADVANCE TO NEXT SECTION OF FORM - PUSH PAGE DOWN KEY

APPENDIX A - ATTACHMENT A DECOMMISSIONING TIMELINESS INSPECTION ATTACHMENT			
Licensee:	Professional Services Industries, Inc.	Date of Inspection:	January 17, 22, 23, 2001

1.	COMPLIANCE WITH DECOMMISSIONING TIMELINESS RULE		
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(NOTE: Repeat the answers given in Section 12 of the main body of the inspection record. The issues in subsequent sections are dependent on the answers to these questions.)

A.	License to conduct a <i>principal activity</i> <u>has</u> expired or been revoked:	Y		N	x
B.	Licensee <u>has</u> made a decision to permanently cease <i>principal activities</i> at the entire site, or any separate buildings, or any outdoor areas, including inactive burial grounds:	Y		N	x
C.	A 24-month duration has passed in which no <i>principal activities</i> have been conducted under the license at the site, or at any separate buildings, or any outdoor areas, including inactive burial grounds:	Y		N	x
D.	If "Yes" to either A or B or C above:				
	(1) Identify Site/Bldg./Area:				
	(2) Date of occurrence of A, B, or C:				

2.	NOTIFICATION REQUIREMENTS				
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A.	Licensee has provided written notification to U.S. NRC within 60 days of the occurrence of 1.A., 1.B., or 1.C. above.	Y		N	x
	If "Yes," date of notification:				
B.	If the licensee is requesting to delay initiation of the decommissioning process, the licensee <u>has</u> provided written notification to NRC within 30 days of occurrence of 1.A., 1.B., or 1.C. above:	N/A	Y	N	
	If "Yes," date of notification:				

Basis for Findings:

3.	DECOMMISSIONING PLAN/SCHEDULE REQUIREMENTS				
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A.	Licensee is required to submit a decommissioning plan per 10 CFR 30.36(g), 40.42(g), 70.38(g), or 10 CFR Part 72?	N/A	x	Y		N	
If "No" to 3.A., answer the following items B - F:							
B.	The decommissioning work scope is covered by current license conditions.		Y			N	
C.	Decommissioning has been initiated within 60 days of notification to NRC, or NRC has granted a delay.		Y			N	
D.	If licensee has initiated decommissioning, give date the decommissioning was initiated:						
E.	If decommissioning has been completed, it was completed within 24 months of notification to NRC.	N/A		Y		N	
F.	If decommissioning is still scheduled to be completed, it is on schedule to be completed within 24 months of notification to NRC.	N/A		Y		N	
Basis for Findings:							
If "Yes" to 3.A., answer the following items G - J:							
G.	The decommissioning plan has been submitted to NRC within 12 months of notification.		Y			N	
If "Yes," date of submittal:							
If NRC approved, date of NRC approval:							
H.	Has the licensee submitted an alternative schedule request?		Y			N	
If "Yes," date of submittal:							
I.	If decommissioning has been completed, it was completed within 24 months after approval of the decommissioning plan.	N/A		Y		N	
J.	If decommissioning is still scheduled to be completed, it is on schedule to be completed within 24 months after approval of the decommissioning plan.	N/A		Y		N	
Basis for Findings:							
Violations identified, if any:							

END