



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

April 2, 2015

EA-15-034

Wallace K. Onuma, President
LKS Inspection Services, LLC
91-1002 Kelau Street
Kapolei, Hawaii 96707

SUBJECT: NRC INSPECTION REPORT 030-36762/2015-001

Dear Mr. Onuma:

This letter and the enclosed report refer to the inspection conducted on January 27, 2015, at a temporary job site located at the Chevron Refinery in Kapolei, Hawaii, and the licensee's office located at the address listed above. The purpose of the inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations, and with the conditions of your NRC license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observation of activities, and interviews with personnel. The inspector discussed the preliminary inspection findings with you at the conclusion of the onsite portion of the main office inspection. A final exit briefing was conducted telephonically with you on March 24, 2015.

Based on the results of this inspection, two apparent violations were identified and are being considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The apparent violations involved the failure of a radiographer to wear an alarm ratemeter during radiographic operations, and the failure of both radiographers to recharge their pocket dosimeters at the start of each shift. The circumstances surrounding these apparent violations, the significance of the issue, and the need for lasting and effective corrective actions were discussed with you during the March 24, 2015, telephonic exit briefing. As a result, it may not be necessary to conduct a pre-decisional enforcement conference in order to enable the NRC to make an enforcement decision.

Before the NRC makes its enforcement decision, we are providing you an opportunity to:

- (1) respond to the apparent violations addressed in this inspection report within 30 days of the date of this letter, or
- (2) request a Pre-decisional Enforcement Conference (PEC). If a PEC is held, it will be open for public observation and the NRC will issue a press release to announce the time and date of the conference. If you decide to participate in a PEC, please contact Mr. Michael Vasquez at 817-200-1130 within 10 days of the date of this letter. A PEC should be held within 30 days of the date of this letter.

If you choose to provide a written response, it should be clearly marked as a "Response to an Apparent Violation in NRC Inspection Report 030-36762/2015-001; EA-15-034" and should include for each apparent violation: (1) the reason for the apparent violation or, if contested, the basis for disputing the apparent violation; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved. For your consideration, the guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the Information Notice on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. Your response may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a PEC.

If you choose to request a PEC, the conference will afford you the opportunity to provide your perspective on these matters and any other information that you believe the NRC should take into consideration before making an enforcement decision. The decision to hold a PEC does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference would be conducted to obtain information to assist the NRC in making an enforcement decision. The topics discussed during the conference may include information to determine whether a violation occurred, information to determine the significance of a violation, information related to the identification of a violation, and information related to any corrective actions taken or planned. In presenting your corrective action, you should be aware that the promptness and comprehensiveness of your actions will be considered in assessing any civil penalty for the apparent violations.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

W. Onuma

- 3 -

If you have any questions concerning this matter, please contact Mr. Michael Vasquez of my staff at 817-200-1130.

Sincerely,

/RA/

Mark R. Shaffer, Director
Division of Nuclear Materials Safety

Docket: 030-36762
License: 53-27795-01

Enclosure:
NRC Inspection Report 030-36762/2015-001

cc: Hawaii Radiation Control Program Director

If you have any questions concerning this matter, please contact Mr. Michael Vasquez of my staff at 817-200-1130.

Sincerely,

/RA/

Mark R. Shaffer, Director
Division of Nuclear Materials Safety

Docket: 030-36762
License: 53-27795-01

Enclosure:
NRC Inspection Report 030-36762/2015-001

cc: Hawaii Radiation Control Program Director

Distribution

Kriss.Kennedy@nrc.gov;
Mark.Shaffer@nrc.gov;
Linda.Howell@Nrc.gov;
Ray.Kellar@nrc.gov;
Nick.Taylor@nrc.gov;
Christi.Maier@nrc.gov;
Marisa.Herrera@nrc.gov;
R4Enforcement;
R4DNMS_SEC@nrc.gov;
RIV ETA: Michael.Waters@nrc.gov;

Karla.Fuller@nrc.gov;
Bill.Maier@nrc.gov;
Jack.Whitten@nrc.gov ;
Michael.Vasquez@nrc.gov;
Rachel.Browder@nrc.gov;
Victor.Dricks@nrc.gov;
Lara.Uselding@nrc.gov;
R4DNMSMS-A@nrc.gov
Jenny.Weil@nrc.gov;

Patricia.Holahan@nrc.gov;
Belkys.Sosa@nrc.gov
Nick.Hilton@nrc.gov
John.Wray@nrc.gov;
S.Woods@nrc.gov;
Leela.Sreenivas@nrc.gov;
Kerstun.Norman@nrc.gov;
Robert.Fretz@nrc.gov;
Michele.Burgess@nrc.gov;
Robert.Sun@nrc.gov

R4DNMS_MS-A
M. Herrera, Fee Coordinator

S:\DNMS\~Escalated Enforcement\Active cases\LKS Inspection Services\EA-15-034 ChoiceLetter-LKS.docx

<input checked="" type="checkbox"/> SUNSI Review By: JLT		ADAMS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		Keyword:
OFFICE	RIV/DNMS	C:NMSB-A	C:ACES	D:DNMS				
NAME	JThompson	GMVasquez	NTaylor	MRShaffer				
SIGNATURE	/RA/	/RA/	/RA/	/RA/				
DATE	03/23/2015	03/30/2015	03/30/2015	04/02/2015				

OFFICIAL RECORD COPY

U.S. NUCLEAR REGULATORY COMMISSION
REGION IV

Report: 2015-001
Docket: 030-36762
License: 53-27795-01
EA: EA-15-034
Licensee: LKS Inspection Services, LLC
Facility: Temporary Job Site
Location Inspected: Temporary Job Site located
at the Chevron Refinery in Kapolei, Hawaii
Office located on Kelau Street, Kapolei, Hawaii
Inspection Date: January 27, 2015, through March 24, 2015
Inspectors: James L. Thompson, Senior Health Physicist
Approved By: G. Michael Vasquez, Chief
Nuclear Materials Safety Branch A

Enclosure

EXECUTIVE SUMMARY

LKS Inspection Services, LLC NRC Inspection Report 030-36762/2015-001

This was an unannounced inspection of LKS Inspection Services (LKS), involving the use of byproduct material for industrial radiographic operations conducted on January 27, 2015, at a temporary job site located at the Chevron Refinery in Kapolei, Hawaii. The inspection also consisted of in-office reviews through March 24, 2015. The scope of the inspection included the direct observation of radiographic operations, and discussions with licensee personnel concerning radiation safety, compliance with the Commission's rules and regulations, and the conditions of the license. Immediately following the observations at the temporary jobsite, an inspection was performed at the LKS office, during which a review of representative records was performed, as well as an interview with the LKS radiation safety officer. This report describes the findings of the inspection.

Program Overview

LKS Inspection Services, LLC is authorized to conduct industrial radiography under NRC License 53-27795-01 at temporary job sites throughout the United States and territorial Federal waters where the NRC maintains jurisdiction for regulating the use of licensed material. (Section 1)

Inspection Findings

Two apparent violations of NRC requirements were identified during the temporary jobsite portion of the inspection performed on January 27, 2015, involving the failure of a radiographer to wear an alarm ratemeter during radiographic operations, and the failure of both radiographers to recharge their pocket dosimeters at the start of each shift. (Section 2.2)

Corrective Actions

The licensee's radiation safety officer counseled the radiographers to reemphasize the importance of the requirements for using the alarm ratemeter and pocket dosimeter appropriately. (Section 3)

REPORT DETAILS

1 Program Overview (87121)

1.1 Program Scope

LKS Inspection Services, LLC is authorized under NRC License 53-27795-01 to possess and use byproduct material for industrial radiographic operations at locations specified on the license and at temporary jobsites in the United States where the NRC maintains jurisdiction. At the time of the inspection, the licensee was performing industrial radiography using iridium-192 at a temporary jobsite at the Chevron Refinery in Kapolei, Hawaii. At the time of the inspection, the licensee's staff consisted of the radiation safety officer (RSO) and two radiographers.

1.2 Observations and Findings

The inspector observed industrial radiographic operations being performed at a temporary jobsite at the Chevron Refinery in Kapolei, Hawaii, on January 27, 2015. During this inspection, the inspector also reviewed records maintained by the licensee at the temporary jobsite and interviewed licensee personnel. Immediately following the temporary jobsite inspection, the inspector continued the review of the licensee's radiation safety program at their office in Kapolei, Hawaii. Collectively, the activities observed and the documents reviewed described the licensee's implementation of its radiation safety program.

2 Inspection Findings (87121)

2.1 Inspection Scope

On January 27, 2015, while conducting a routine inspection at the Chevron Refinery in Kapolei, Hawaii, the inspector discovered that LKS Inspection Services, LLC (LKS) was performing industrial radiography onsite. The inspector immediately requested, and was granted access by Chevron staff, to the location at the refinery where LKS was working. The inspector performed an unannounced inspection of LKS radiographers, which included direct observation of licensed activities and interviews with the two radiographers present.

2.2 Observations and Findings

Apparent Violation of 10 CFR 34.47(a)

10 CFR 34.47(a) requires, in part, that the licensee may not permit an individual to act as a radiographer unless, at all times during radiographic operations, each radiographer wears, on the trunk of the body, a direct reading dosimeter, an operating alarm ratemeter, and a personal dosimeter.

During the inspection at the Chevron Refinery, the inspector observed one of the radiographers cranking out the source (22 curies of iridium-192), while the other radiographer maintained visual surveillance of the restricted area. After observing a few

exposures, the inspector approached the radiographers and introduced himself. The inspector asked to see each of the radiographer's alarm ratemeters. The radiographer that was cranking out the source showed the inspector his alarm ratemeter; however, the other radiographer stated that he did not have his alarm ratemeter. He stated that he must have forgotten it in his other pair of coveralls back at the job trailer (onsite at the refinery). Later, the inspector confirmed that the individual left his ratemeter on his coveralls at the job trailer, located onsite at the refinery.

This failure of a radiographer to wear an alarmrate meter while performing radiographic operations was identified as an apparent violation of 10 CFR 34.47(a).
(030-36762/15001-01)

Apparent Violation of 10 CFR 34.47(a)(1)

10 CFR 34.47(a)(1) requires, in part, that the pocket dosimeters [required by 10 CFR 34.47(a)] must be recharged at the start of each shift.

During the inspection described above, the inspector asked to see each radiographer's pocket dosimeter. The first radiographer (who did not have his alarm ratemeter) handed his pocket dosimeter to the inspector, and the inspector held it up to the light to read it; the pocket dosimeter was off scale (the needle could not be seen on the zero to 200 millirem scale). The inspector asked the radiographer what he thought the pocket dosimeter read, and the radiographer stated that he did not know, because he had forgotten to recharge it at the beginning of the work shift. The inspector then asked to see the other radiographer's pocket dosimeter; this dosimeter read 12 millirem; however, the radiographer told the inspector that he too had forgotten to recharge his pocket dosimeter at the beginning of the work shift.

The failure of both radiographers to recharge their pocket dosimeters at the start of each shift was identified as an apparent violation of 10 CFR 34.47(a)(1).
(030-36762/15001-02)

After being made aware of this, the radiographer contacted the individual who was the LKS President/RSO. The RSO instructed them to terminate radiographic operations. After reviewing the circumstances, the RSO informed the inspector that he made a determination that the off scale dosimeter was not caused by excessive radiation exposure, due to the facts that: 1) the primary radiographer that was operating the crank assembly did not receive any abnormal dose on his pocket dosimeter, and he was closest to the source during the operation; and 2) the primary radiographer's alarm ratemeter never alarmed during radiographic operations. The off-scale dosimeter was recharged at the end of the work shift and found to be fully operational. Due to these findings, the personal dosimeter of the radiographer that wore the off scale pocket dosimeter was not sent in for emergency processing.

2.3 Conclusions

The inspector identified two apparent violations, involving the failure of a radiographer to wear an alarmrate meter during radiographic operations, and the failure of both radiographers to recharge their personal dosimeters at the start of each shift.

3 Corrective Actions

The licensee's RSO immediately counseled the two radiographers to reemphasize the requirements for performing radiographic operations in accordance with regulatory requirements. The RSO also performed an assessment of the possibility of excessive radiation exposure to the radiographer whose pocket dosimeter was found to be off scale, as discussed in Section 2.3 above.

4 Exit Meeting Summary

A preliminary exit briefing was conducted at the conclusion of the onsite inspection on January 27, 2015, with Mr. Wallace Onuma, President and RSO of LKS Inspection Services, LLC. On March 24, 2015, a final exit briefing was conducted telephonically with Mr. Onuma. The licensee acknowledged the inspector's findings. No proprietary information was discussed.

PARTIAL LIST OF PERSONS CONTACTED

Wallace Onuma, President and Radiation Safety Officer
Lance Onuma, Radiographer
Bradley Batera, Radiographer

INSPECTION PROCEDURES USED

87121 Industrial Radiography Programs

ITEMS OPENED, CLOSED, AND DISCUSSED

Opened

030-36762/15001-01	APV	The licensee's radiographer failed to wear an alarm ratemeter while performing industrial radiographic operations.
030-36762/15001-02	APV	Both of the licensee's radiographers failed to recharge their pocket dosimeters at the beginning of the work shift.

Closed

None

Discussed

None

LIST OF ACRONYMS USED

APV apparent violation
CFR *Code of Federal Regulations*
NRC Nuclear Regulatory Commission
PEC Predecisional Enforcement Conference
RSO Radiation Safety Officer