

OCT 25 1989

In Reply Refer To:
License: 35-15194-01
Docket: 30-08719/89-01

Globe X-Ray Services, Inc.
ATTN: Kenneth R. Swanson
Radiation Safety Officer
8441 South Union Street
Tulsa, Oklahoma 74132

Gentlemen:

This refers to your letter dated September 20, 1989, in response to our letter and attached Notice of Violation both dated August 29, 1989. We have reviewed your reply and find deficiencies in your response to Violation 2 as outlined below.

Your response indicates that you have corrected the deficiencies in your shipping papers noted during the inspection and that you have given consideration to labeling and describing those packages categorized as a RADIOACTIVE YELLOW III package. Your response does not indicate consideration for those packages which are categorized as a RADIOACTIVE YELLOW II package. You should be aware that package labels and the description entered on the label and shipping papers must accurately reflect the package content. Additionally, you mention placarding vehicles that may be used to transport packages not categorized as RADIOACTIVE YELLOW III. Transportation regulations (contained in Title 49 of the Code of Federal Regulations) specifically prohibit the inappropriate placarding of vehicles carrying hazardous materials. Your corrective actions should address these two items to ensure that your procedure does not lead to items of noncompliance in the future. Consequently, you are required to respond to these two issues, reference your response to Item II(3), within 15 days of your receipt of this letter.

Should you have any questions regarding this letter please call me at (817) 860-8100

Sincerely,

Blaine Murray for
A. Bill Beach, Director
Division of Radiation Safety
and Safeguards

cc:
Oklahoma Radiation Control Program Director

bcc w/copy of licensee letter:
DMB - Original (IE-07)
ABBeach
LShea, RM/ALF (AR-2015)
RJEverett
NMSB
RIV Files (2)

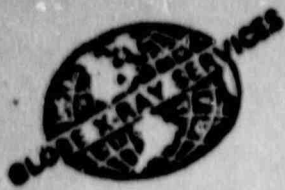
RDMartin
LAYandell
CLCain
LLKasner
MIS System
RSTS Operator

RIV:NMIS *JKK*
LLKasner:ch
10/23/89

C:NMIS *JKK*
CLCain
10/23/89

D:DRSS *BP*
ABBeach
10/24/89

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IE-07



GLOBE X-RAY SERVICES, INC.

8441 SOUTH UNION

TULSA, OKLAHOMA 74132

(918) 446-1696

N.R.C. 900-15194-01
TEXAS 95-1092



September 20, 1989

William L. Fisher
United States
Nuclear Regulatory
Commission - Region IV
611 Ryan Plaza Drive
Suite 1000
Arlington, TX 76011

Docket: 30-08719/89-01
License: 35-15194-01

Gentlemen:

This letter is in response to the enforcement letter dated August 29, 1989. Violations were found during routine unannounced radiation safety inspection conducted by Ms. L.L. Kasner on July 31 and August 1, 1989.

Item I: 49 CFR 173.471(a) specified, in part, that any shipper of a Type B, Type B(U), or Type B(M) package that has been approved by the NRC in compliance with 10 CFR Part 71 shall be registered with the NRC as a party to the approval, and the shipment must be made in compliance with the terms of the approval.

A condition of approval for the NRC approved package, as described in NRC Certification of Compliance No. 9053, is that it be shipped in the required overpack.

1. Having taken this position of Radiation Safety Officer in March of this year (1989), and reviewing the survey of 4-21-88, I was not aware of any violation being conducted by this company. The survey of 4-21-88 did not reveal any violation, and we were still following the same procedures.
2. We removed the old canister that we carried our sources in and installed the NRC approved overpack for type B material.
3. To be more familiar of all the regulations of our license, and to further deal with any noncompliance that have not been brought to my attention during the survey of August 1, 1989.
4. We will have achieved complete compliance by the 30th of September, 1989.

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IC-89-658

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GLOBE X-RAY SERVICE, INC.

8441 South Union

Tulsa, Oklahoma 74132

918/446-1696

Item II: 49 CFR 172.202(a) specifies, in part, that the shipping description of a hazardous material on the shipping paper must include (1) the proper shipping name prescribed for the material in 172.101 and (2) the identification number (preceded by "UN") for the material as prescribed in the same section.

49 CFR 172.203(d) specifies additional shipping description entries required for radioactive materials including the transport index assigned to those packages bearing RADIOACTIVE YELLOW II or RADIOACTIVE YELLOW III labels.

1. Having taken this position of Radiation Safety Officer in March of this year (1989), and reviewing the survey of 4-21-88, I was not aware of any violation being conducted by this company. The survey of 4-21-88 did not reveal any violation, and we were still following the same procedures.
2. The shipping papers have been corrected and now states the proper name prescribed for the material and proper identification number (UN 2974).
3. (49 CFR 172.202(a)) - New shipping papers have been printed and handed out to all Radiographers and have been instructed the correct procedure in filling them out and the proper way to reflect the transport index.

(49 CFR 172.203 (d)) - Due to carrying sources that will require Radioactive Yellow III and sources that will not, we placed Radioactive Yellow III labels on all the type B overpacks and transporting vehicle are placarded on all four sides.

All Radiographers have been instructed, each day, on surveying their vehicle to reflect on the Radioactive Yellow III labels, the contents and the transport index. This will be done at the beginning of every work day before transporting radioactive material.

4. We will have achieved complete compliance by the 30th of September, 1989.

Sincerely,

Kenneth Swanson
Kenneth R. Swanson
Radiation Safety Officer

AUG 29 1989

In Reply Refer To:
Docket: 30-08719/89-01
License: 35-15194-01

Globe X-Ray Services, Inc.
ATTN: Kenneth Swanson
Radiation Safety Officer
8441 South Union Street
Tulsa, Oklahoma 74132

Gentlemen:

This refers to the routine, unannounced radiation safety inspection conducted by Ms. L. L. Kasner of this office on July 31 and August 1, 1989, of the activities authorized by NRC Byproduct Material License 35-15194-01 and to the discussion of our findings held by the inspectors with members of your staff at the conclusion of the inspection.

The inspection was an examination of the activities conducted under the license as they relate to radiation safety and to compliance with the Commission's rules and regulations, and the conditions of the license. The inspection consisted of selective examinations of procedures and representative records, interviews of personnel, independent measurements, and observations by the inspector of licensee personnel conducting radiography at a field site.

During this inspection certain of your activities were found not to be conducted in full compliance with NRC requirements. Consequently, you are required to respond to this matter, in writing, in accordance with the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation enclosed with this letter.

The response directed by this letter and accompanying Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,

Original Signed By:
William L. Fisher

William L. Fisher, Chief
Nuclear Materials Safety Branch

Enclosure: (see next page)

*RIV:NMIS
LLKasner:lm
/ /89

*C:NMIS
CLCain
/ /89

C:NMSB
WLFisher
8/28/89

*Previously Concurred

IE-07

~~8909010401~~ 2 pp.

Enclosure:
Appendix - Notice of Violation

cc:
Oklahoma Radiation Control Program Director

bcc:
DMB - Original (IE-07)
RDMartin
ABBeach
REHall
WLFisher
LShea, RM/ALF (AR-2015)
*CLCain
*RJEverett
*NMSB
*MIS System
*RIV Files (2)
*RSTS Operator
*LLKasner
*W/766

APPENDIX

NOTICE OF VIOLATION

Globe X-Ray Services, Inc.
Tulsa, Oklahoma

Docket: 30-08719/89-01
License: 15194-01

During an NRC inspection conducted on July 31 and August 1, 1989, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy), the violations are listed below:

10 CFR 71.5(a) requires, in part, that no licensee transport any licensed material outside the confines of its plant or other place of use, or deliver any licensed material to a carrier for transport, unless the licensee complies with applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170-189.

- a. 49 CFR 173.471(a) specifies, in part, that any shipper of a Type B, Type B(U), or Type B(M) package that has been approved by the NRC in compliance with 10 CFR Part 71 shall be registered with the NRC as a party to the approval, and the shipment must be made in compliance with the terms of the approval.

A condition of approval for the NRC approved package, as described in NRC Certification of Compliance No. 9053, is that it be shipped in the required overpack.

Contrary to the above, the licensee has routinely shipped licensed material in a gamma camera specified in Certification of Compliance No. 9053 without the required overpack.

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

- b. 49 CFR 172.202(a) specifies, in part, that the shipping description of a hazardous material on the shipping paper must include (1) the proper shipping name prescribed for the material in § 172.101 and (2) the identification number (preceded by "UN") for the material as prescribed in the same section.

49 CFR 172.203(d) specifies additional shipping description entries required for radioactive materials including the transport index assigned to those packages bearing RADIOACTIVE YELLOW II or RADIOACTIVE YELLOW III labels.

Contrary to the above, on July 31, 1989, the licensee was transporting a radiographic exposure device containing 100 curies of iridium-192 with shipping papers that did not contain the appropriate

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hazardous material description and the correct identification number, and the transport index did not accurately reflect the measured value of the package.

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

Pursuant to the provisions of 10 CFR 2.201, Globe X-Ray Services, Inc., is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,
this 29th day of August 1989

INSPECTOR'S REPORT
 (Continuation)
 Office of Inspection and Enforcement

DOCKET NO. (8 DIGIT) OR LICENSE NO. (BY PRODUCT) (13 DIGIT)		REF. NO.	MODULE NUMBER		5	SITE RELATED
03008719		8901	58167401			
			A	VIOLATION SEVERITY OR DEVIATION		A C
			B	1	2	3
			C	4	5	6
			D			

VIOLATION OR DEVIATION (Enter up to 2400 characters for each item. If the text exceeds this number, it will be necessary to paraphrase. Limit lines to 50 characters each.)

10 CFR 71.5(a) requires, in part, that no licensee transport any licensed material outside the confines of its plant or other place of use, or deliver any licensed material to a carrier for transport, unless the licensee complies with applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170-189.

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Contrary to the above, on July 31, 1989, the licensee was transporting a radiographic exposure device containing 100 curies of iridium-192 with shipping papers that did not contain the appropriate

hazardous material description, the correct identification number, and the transport index did not accurately reflect the measured value of the package.

INSPECTOR'S REPORT
 (Continuation)
 Office of Inspection and Enforcement

DOCKET NO. (8 digits) OR LICENSE NO. (BY PRODUCT) (13 digits)		REPORT NO.		MODULE NUMBER		5
03008719		8901		586740		
				VIOLATION SEVERITY OR DEVIATION		SITE RELATED A C B D
				A		
				B		
				C		
				D		

VIOLATION OR DEVIATION (Enter up to 2400 characters for each item. If the text exceeds this number, it will be necessary to paraphrase. Limit lines to 80 characters each.)

10 CFR 71.5(a) requires, in part, that no licensee transport any licensed material outside the confines of its plant or other place of use, or deliver any licensed material to a carrier for transport, unless the licensee complies with applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170-189.

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