

U. S. NUCLEAR REGULATORY COMMISSION

REGION III

Enforcement Conference Report No. 030-14394/89002(DRSS)

Docket No. 030-14394

License No. 34-18050-01

Category E

Priority 3

Licensee: Buckeye Well Surveys, Inc.  
Post Office Box 208  
Louisville, OH 44641

Enforcement Conference At: NRC Region III Office  
Glen Ellyn, IL 60137

Enforcement Conference Conducted: October 3, 1989

Prepared By: D. R. Gibbons  
Radiation Specialist

*D. J. Sreniawski for*

11/8/89  
Date

Reviewed and  
Approved By: D. J. Sreniawski, Chief  
Nuclear Materials Safety  
Section 1

*D. J. Sreniawski*

11/8/89  
Date

Meeting Summary

Areas Discussed: The apparent violations documented in Inspection Report No. 030-14394/89001(DRSS), licensee's corrective actions and NRC concerns for lack of the long-term solutions to problems, no continuity in program and little management oversight to see NRC requirements met.

## DETAILS

### 1. Persons Attending

#### Buckeye Well Surveys, Inc.

Charles W. Withey, President and Owner  
Ken Sherwin, Vice President and Office Manager

#### NRC

Bruce S. Mallett, Ph.D., Chief, Nuclear Materials Safety Branch  
William H. Schultz, Enforcement Specialist  
Cassandra F. Frazier, Health Physicist, Licensing  
Donald R. Gibbons, Radiation Specialist

### 2. Conference Summary

Dr. Mallett opened the meeting by stating NRC's overall concern with the licensee's inadequate July 24, 1989 response to the specific violations sent to the licensee in a Notice of Violation (NOV) dated June 8, 1989. He explained that the meeting was an enforcement conference to present the violations and NRC's concern that the licensee's response to date leads the NRC to perceive that the licensee has no program continuity, little management oversight to ensure NRC requirements are met, and no long term plans to correct the violations in the future.

Mr. Charles W. Withey, stated that he was responsible for the operations at Buckeye Well Surveys, and Mr. Sherwin was being trained as the Radiation Safety Officer. Mr. Withey stated that the company had been lax in record keeping, relied in part on one person to see that program was done and did not realize that they could submit information to the NRC to amend their license while that license was awaiting renewal. He further stated that he and Mr. Sherwin were anxious to hear the concerns the NRC has, and desired to improve their program.

Mr. Donald R. Gibbons summarized the violations and concerns. Mr. Withey and Mr. Sherwin discussed their corrective actions to each one and recognized that the July 24, 1989 response did not address management oversight or long term solutions to the problem. In response to the NRC, Mr. Withey agreed to send another response before October 17, 1989. The response would contain actions to prevent recurrence of these and similar violations, and would outline responsibilities of management to assure the NRC that the licensed program requirements would be met regardless of future personnel changes.

The licensee agreed with all the facts in the violations except No. 5. The licensee asserted that the inventories at the Bradford, Pennsylvania office were performed and they would submit information showing this. NRC agreed to reconsider that portion of Violation No. 5 dealing with inventories in Pennsylvania upon receipt of the information.

NRC suggested that periodic audits of the program and personnel by Mr. Withey, or Mr. Sherwin, would help prevent future violations. Mr. Withey stated that he and Mr. Sherwin have performed audits periodically, but would increase the frequency and content of those audits, and would explain the procedures in their response.

The licensee agreed to incorporate its corrective action program into its NRC license. Ms. Cassandra Frazier explained requirements for amending the license, and discussed license renewal during a meeting with the licensee's representatives immediately following the conference.

Mr. William H. Schultz, Enforcement Specialist, outlined the NRC's enforcement options and what the licensee might expect if the violations and programmatic problems are not corrected.

3. Closing

NRC informed the licensee that the information presented at the meeting, and the information presented in their response would be considered in deciding any further enforcement action to be taken in this matter.