

NOV 21 1989

Docket No. 030-10963
EA No. 89-221

License No. 20-16401-01

Briggs Associates, Inc.
ATTN: David Campbell
President
400 Hingham Street
Rockland, Massachusetts 02370

Gentlemen:

Subject: Inspection Report No. 030-10963/88-001

This letter refers to the routine safety inspection conducted by Messrs. J. Jensen and J. Miller of this office on January 21 and 22, 1988, of activities authorized by NRC License No. 20-16401-01. The findings of the inspection were discussed with you at the conclusion of the inspection. This letter also refers to the telephone discussion between you and Dr. Lee Bettenhausen of this office.

Areas examined during this inspection are described in the NRC Region I Inspection Report which is attached as Enclosure 1. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel and observations by the inspectors.

Subsequent to the inspection, the NRC's Office of Investigations (OI) conducted an investigation to determine if false statements were made in a license renewal application and a response to an NRC Notice of Violation concerning the audible and visible alarms on the radiographic cell. Based on the evidence gathered during the investigation, the NRC substantiated that your organization acted with careless disregard for requirements in written responses to the NRC during the 1987 license renewal process concerning the audible alarm system for your radiographic cell. This is an apparent violation of NRC requirements. An edited synopsis of the report of the investigation is included as Enclosure 2 to this letter. The portions of the synopsis that have been deleted are under review by NRC.

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As discussed during the telephone conversation between you and Dr. Bettenhausen, the apparent violations identified during this inspection will be discussed at an Enforcement Conference at our office in King of Prussia, Pennsylvania at 11:00 a.m., Friday, December 1, 1989. We understand that you and your Radiation Safety Officer will attend this meeting. The purposes of the Enforcement Conference are (1) to discuss the safety significance of the apparent violations, their root causes, and your corrective actions, (2) to ensure that we have a common understanding of the facts associated with the apparent violations, and (3) to determine if there are mitigating or extenuating circumstances associated with the apparent violations that should be considered by the NRC in determining appropriate enforcement action. Further, in view of our finding that the RSO acted in careless disregard of NRC requirements, you should be prepared to justify to the NRC a basis for permitting the current RSO to continue to be involved in any capacity with licensed activities. Enforcement action for these violations will be considered by the NRC following the Conference. The NRC Enforcement Policy is described in Appendix C of 10 CFR Part 2, a copy of which is enclosed for your information. Directions to the NRC Region I office are also enclosed.

In accordance with 10 CFR 2.790(a), a copy of this letter and enclosures 1 and 2 will be placed in the NRC Public Document Room.

No reply to this letter is required. Your cooperation with us in this matter is appreciated.

Sincerely,

Original Signed By:
James H. Joyner

for Malcolm R. Knapp, Director
Division of Radiation Safety
and Safeguards

Enclosures:

1. NRC Region I Inspection Report No. 030-10963/88-001
2. Synopsis of Office of Investigations Report 1-88-002
3. 10 CFR Part 2
4. Directions to the Region I Office

cc:

Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Massachusetts

bcc:
 Region I Docket Room (w/concurrences)
 Management Assistant, DRMA
 J. Lieberman, DE
 J. Goldberg, OGC
 D. Holody, RI
 K. Christopher, RI
 J. Jensen, RI
 J. Joyner, RI
 J. White, RI
 J. Miller, RI
 J. Kinneman, RI
 L. Bettenhausen, RI
 M. Knapp, RI

RI:DRSS Miller/bj 11/15/89	<i>HT</i> RI:DRSS Densen 11/15/89	RI:DRSS White 11/15/89	RI:DRSS Bettenhausen 11/20/89	<i>HT</i> RI:DRSS Joyner	<i>HT</i> RI:DRSS Knapp 11/20/89
<i>ggm</i>	<i>JJM</i>	<i>JJM</i>	<i>JJM</i>		
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