

DCS

November 30, 1989
EN 89-19A

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: American Testing and Inspection, Inc. (EA 88-290)
Joliet, Illinois
General Licensee - 10 CFR 150.20

Subject: ORDER MODIFYING LICENSE

By EN 89-19 dated February 27, 1989, the Commission was notified that an Order to Show Cause and Order Suspending the general license provided by 10 CFR 150.20 were being issued to American Testing and Inspection, Inc., (ATI) a State of Illinois (Agreement State) licensee. The licensee responded to the Show Cause Order by letter dated April 5, 1989. In its response, ATI admitted several violations occurred as stated in the Order, denied that those violations were made knowingly or willfully on the part of the ATI President who is also the Radiation Safety Officer, and provided information as to why the general license should not be revoked. After review of the licensee's response the staff concluded that while revocation of the general license may not be warranted, the information submitted did not provide an adequate basis for lifting the suspension Order without modification of the general license to give the NRC reasonable assurance that the licensee will properly conduct future licensed activities in non-Agreement States. Accordingly, an Order Modifying License is being issued to day to ATI requiring among other things: (1) replacement of ATI's RSO with an individual approved by the NRC for activities under NRC jurisdiction, and (2) an independent organization (IO), approved by the NRC, to observe radiographers performing radiography in non-Agreement States and audit ATI's radiation safety program at intervals not to exceed 3 months. The suspension of the license will be lifted upon replacement of the President as RSO and the approval of the IO.

Under the terms of the Order, the licensee may within 20 days of the effective date of the Order, request a hearing.

The State of Illinois will be notified.

Contact: J. Johansen, OE, 23282 J. Lieberman, OE, 20741

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