

U.S. NUCLEAR REGULATORY COMMISSION  
REGION I

Enforcement Conference Report No. 030-10963/89-002

Docket No. 030-10963

License No. 20-16401-01 Priority I Category C Program Code 03320

Licensee: Briggs Associates, Inc.  
400 Hingham Street  
Rockland, Massachusetts 02370

Facility Name: Briggs Associates, Inc.

Enforcement Conference At: Region I, King of Prussia, Pennsylvania

Enforcement Conference Conducted: December 1, 1989

Prepared By: John T. Jensen 12/7/89  
John T. Jensen, Health Physicist /date

Approved by: John J. Miller 12-7-89  
John J. Miller, Acting Chief /date  
Nuclear Materials Safety Section C

Enforcement Conference Summary: Enforcement Conference conducted in King of Prussia, Pennsylvania on December 1, 1989

The licensee's representatives discussed the corrective actions taken and/or planned as a result of the January 21-22, 1988 inspection. The NRC representatives discussed their concern regarding the Radiation Safety Officer's careless disregard for regulatory requirements and the licensee's apparent lack of cooperation during NRC inspections and outlined NRC's enforcement options.

## DETAILS

### 1. Persons Attending

#### Briggs Associates, Inc.

David Campbell, President

Paul Skorohod, Vice President and Radiation Safety Officer

#### Nuclear Regulatory Commission

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

James H. Joyner, Division Project Manager, Division of Radiation  
Safety and Safeguards

Lee H. Bettenhausen, Chief, Nuclear Materials Safety Branch

Daniel J. Holody, Enforcement Officer

Karla D. Smith, Region I Counsel (by telephone)

Robert K. Christopher, Enforcement Specialist

John J. Miller, Acting Chief, Nuclear Materials Safety Section C

John T. Jensen, Health Physicist

J. DeMedico, Enforcement Specialist (by telephone)

### 2. Conference Summary

- a. Mr. Joyner introduced the NRC staff and discussed the purpose of the enforcement conference. Mr. Joyner stated that throughout the history of the NRC inspection effort at Briggs Associates there has been evidence of a tendency on the licensee's part to inhibit the inspection process through failure to allow inspectors immediate access to the radiation safety records and failure to maintain properly operating self-reading dosimeters so that the licensee's permanent facility could be tested. In addition, he questioned the licensee's willingness to cooperate with the NRC in light of the licensee's delay in installing the required alarms on their permanent radiographic facility. Mr. Joyner stated that the NRC perceives an uncooperative attitude on the licensee's part toward compliance with NRC regulations and that the licensee should use this opportunity to dispell this perception.
- b. Mr. Campbell stated that he understands the seriousness of the violations identified by the NRC and that he feels that they have corrected the violations and they wish to cooperate with the NRC.
- c. Mr. Miller briefly described the apparent violations identified during the inspection report. There was a general discussion of the apparent violations and the licensee's corrective actions.

- d. The licensee representatives agreed with all of the apparent violations described in the inspection report. However, Mr. Skorohod provided information that indicated that part of the violation in Section 5. of the inspection report was not correct. The apparent violation in Section 5. indicates that exposure records for a radiographer's assistant and a trainee were not maintained.

Mr. Skorohod indicated that the exposure records for the radiographer's assistant were not available during the inspection due to the relocation of files prior to the inspection and that those records are now available for review. He also indicated that the trainee's exposure records were not available because the trainee left the company's employ without returning his film badges.

Mr. Joyner indicated that it would be necessary for the licensee to evaluate the trainee's likely radiation exposure during his work with radioactive material and maintain a record of their estimate of his exposure. The licensee representatives agreed to accomplish this action by December 8, 1989.

- e. Mr. Joyner stated that the NRC Office of Investigations' report determined that the Radiation Safety Officer (RSO) had acted in careless disregard for NRC regulations when he indicated in a letter to the NRC dated October 1, 1987, during the license renewal process, that visible and audible alarms were installed and being utilized in the licensee's permanent radiographic facility when, in fact, the audible alarm had not been installed and the visible alarm was used intermittently. Mr. Joyner also stated that the licensee had been cited for failure to equip the permanent radiographic facility with the required alarms in June 1986, and committed to provide alarms in their response to the notice of violation that had been issued.

The RSO agreed with the apparent violation in the inspection report. He indicated that at the time of the January 1988 inspection he thought that the question of equipping the permanent radiographic facility with the required alarms was subject to approval through the licensing process and that he had intended to install the alarms as they were depicted in the October 1, 1987 letter when the NRC renewed the Briggs license thereby formally changing the facility to a permanent one. He stated that he did not intend to deceive the NRC with the October 1987 letter. He also indicated that the alarms had been installed immediately after the January 1988 inspection and have been reviewed during subsequent NRC inspections. Mr. Campbell added that the alarms will be directly connected to their power source so that they cannot be unplugged.

- f. Mr. Joyner asked the licensee representatives to describe their position relative to providing NRC inspectors immediate access to their radiation safety records.

Mr. Skorohod indicated that it is their policy to provide NRC inspectors with immediate access to their radiation safety records and that their records have been made immediately available during two subsequent NRC inspections. He further stated that in his absence two individuals have been designated to immediately provide NRC inspectors with the radiation safety records.

- g. Dr. Knapp indicated that radiographic operations pose extremely high radiation exposure risks and that the NRC expects Briggs Associates to perform operations with extreme caution and in full cooperation with the NRC.
- h. Mr. Christopher described the NRC's enforcement policy and discussed its enforcement options.