

DCD/DCB
(RIDS)

December 27, 1989

Docket No. 030-07682
License No. 34-14071-01
EA 89-173

Glitsch Field Services/NDE, Inc.
ATTN: Mr. J. G. McArdle
President
5250 Mayfair Road
Post Office Box 2908
North Canton, Ohio 44720

Gentlemen:

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT NO. 030-07682/89001(DRSS))

This refers to the inspection conducted on August 4-15, 1989, at Glitsch Field Services/NDE, Inc. of activities authorized by NRC License No. 34-14071-01. The inspection was in response to a radiography overexposure which occurred on August 2, 1989, and was reported by your staff to the NRC on August 3, 1989. The report of this inspection was sent to you on September 1, 1989. During the inspection, violations of NRC requirements were identified. On September 7, 1989, an enforcement conference was conducted with you and Mr. A. Magno of your staff and Mr. C. E. Norelius and other members of the NRC staff to discuss the violations, their causes, and your corrective actions.

The violations that are described in the enclosed Notice of Violation (Notice) include: (I.A) permitting an individual in a restricted area to receive a whole body radiation dose of greater than 3 rems in a calendar quarter, (I.B) failing to secure a Technical Operations Model 660 Gamma Ray Projector in the "Lock" position after a radiographic exposure, (I.C) failing to stop work, immediately notify the Assistant Radiation Safety Officer (RSO), and immediately send a TLD for processing after it was determined that a pocket dosimeter was discharged beyond its range, and (II) failing, in some cases, to perform audits of radiographers and radiographers' assistants at intervals not to exceed three months, and branch office operations on an annual basis.

The violations in Section I of the Notice led to the radiographer's receiving a whole body radiation dose significantly in excess of 10 CFR Part 20 regulatory limits.

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy), Violations A., B., and C. described in Section I of the enclosed Notice have

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been classified in the aggregate as a Severity Level I problem. This categorization is based on a whole body exposure in excess of 25 rems. Normally, a civil penalty is proposed for a Severity Level I problem. However, after consideration of the mitigation and escalation factors in the Enforcement Policy and consultation with the Commission, I have decided that a civil penalty will not be proposed in this case due to the application of the mitigating factors as discussed below.

In considering the application of the mitigation and escalation factors in the Enforcement Policy, the 50% mitigation warranted for your prompt and extensive corrective action to prevent recurrence, and 100% mitigation warranted for your good past performance were balanced against the 50% escalation warranted for prior notice. No mitigation was deemed appropriate for identification and reporting of the event, as it was self-disclosing and the radiographer, who is responsible to you as the licensee for assuring compliance with the requirements of the Commission's regulations and conditions of the license, continued to work after he observed his dosimeter had gone offscale, completing the remaining 7 radiographic exposures before making his report to his supervisor. Other escalation factors of the Enforcement Policy did not apply.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

During the enforcement conference, you asked whether you are required to enter the individual's dose on NRC Form 4 as 93.5 rems since this dose was primarily to the individual's right hip area and the actual equivalent whole body dose was significantly less. We recognize that based on a reenactment of the event, subsequent calculations, and cytogenetic studies by Oak Ridge National Laboratory, the equivalent whole body dose is estimated to be 5-8 rems. However, based on the staff's long-standing interpretation of the application of the dose limits in 10 CFR Part 20, which do not make any allowance for averaging over the entire mass of the body, or for weighting factors for various organs and tissues, and the guidance in National Bureau of Standards Handbook 59, we have concluded that you are required to enter 93.5 rems as the whole body dose on the individual's NRC Form 4.

In accordance with Section 2.790 of the NRC's "Rule of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and the accompanying Notice are 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.

Sincerely,

Original signed by
A. Bert Davis

A. Bert Davis
Regional Administrator

Enclosures:

- 1. Notice of Violation
- 2. Inspection Report
No. 030-07682/89001(DRSS)

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