

JAN 29 1990

American Testing & Inspection, Inc.
ATTN: Mr. R. Preston
President
1904 Cherry Hill Road
Joliet, IL 60433

License No. 12-21101-01
EA No. 88-290

30-19788

Gentlemen:

This is in response to your letter dated December 18, 1989 requesting modification of the "Order Modifying License" (Order) issued to American Testing & Inspection, Inc. (ATI) on November 30, 1989. We have reviewed the requested modifications and find them acceptable as rewritten below. These changes have been discussed and agreed upon by you in a telephone conversation with Dr. Bruce S. Mallett of my staff on January 26, 1990.

Pursuant to Section V of the Order, Sections IV.B. and V.C. of the Order are hereby modified to add the following:

Section IV.B

- B. . . . If the licensee receives less than 7 calendar days notice of opportunity to engage in licensed activities at locations that are under NRC jurisdiction, the licensee will:
 1. Document the date and time the customer approves commencement of work; and
 2. Notify the NRC by filing NRC Form-241 by facsimile as soon as possible after customer approval to begin work, but always before commencing work.

Section IV.C

- C. . . . Observations or audits of individual radiographers may be done for work performed in an Agreement or non-Agreement State. In the event no activities are conducted by a given radiographer during a 3-month interval, he or she will be audited at the first practical opportunity upon resumption of activities, but no later than 21 calendar days after resumption of work. In the event a given radiographer has not been audited during the previous 3-month plus 21-calendar day interval, he or she will be audited no later than 2 calendar days after resumption of work. A radiographer will not be permitted to perform radiography under ATI's NRC license in non-Agreement States unless he or she has been audited as described above within the preceding 12-month interval.

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It is noted that Sections IV.A, IV.B, IV.D and IV.E of the Order remain in effect. Further, we note that even with the addition to Section IV.C authorized above, Section IV.C continues to require that ATI submit the qualifications of the independent consultant and its plan for accomplishing the tasks specified in the Order and in this letter, to the Regional Administrator, Region III, for review and approval prior to resuming licensed activities in non-Agreement States.

If you have any questions regarding this matter, please contact me.

Sincerely,

Original signed by
A. Bert Davis

A. Bert Davis
Regional Administrator

cc w/ltr dtd 12/18/89:
DCD/DCB (RIDS)

bcc w/ltr dtd 12/18/89:
J. Lieberman, OE
J. Goldberg, OGC
R. Bernero, NMSS

Y40
RIII
BSm
Mallett/jl
01/26/90

Y21
NMSS
BSm for
Glenn
via telecon
on 1/23/90

Y46
OE
BSm for
Lieberman
via
telecon
on 1/25/90

Y49
OGC
BSm for
Lewis Berson
via
telecon
on 1/26/90

RIII
Grober
1/20/90

RIII
Paperiello
1/26/90

RIII
CP
1/29/90

RIII
Davis
1/29

RIII

DESIGNATED ORIGINAL

Certified By J. Lauer 12/29/90



AMERICAN TESTING & INSPECTION INC.

1904 CHERRY HILL ROAD JOLIET, IL 60433

815/ 726-3900

December 18, 1989

Director
Office of Enforcement
U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Dear Sir:

We request a modification to the order modifying our license (10 CFR 152.20 EA 88-290). Until this modification request is acted upon, we request that the hearing date is stayed, pending the outcome of this request. Specifically:

1. We request the option of providing less than 7 days notice of intent to work in locations under NRC jurisdiction whenever we have less than 7 days notice ourselves. We will, in these cases, document the date and time we get the go ahead for a job and will obtain NRC approval by fax with a form 241 at the earliest opportunity but before work commences.
2. We wish to modify the audit requirement to state "At intervals not to exceed 3 months, beginning with the date of resumption of activities in non-agreement states, observe all ATI radiographer and conduct an audit of the ATI radiation safety program for work performed in non-agreement states to ensure compliance with NRC regulatory requirements."

In the event the no activities are conducted in non-Agreement States by a given ATI radiographer, he or she will be audited at the first practical opportunity upon resumption of activities in a non-Agreement State but within 21 days of resumption of work. In no case shall an ATI radiographer work in non-Agreement States if he has not been independently audited within the preceding 12 months".

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We will be sending you additional supporting information in due course. We have contracted the services of Stan A. Huber Consultants, Inc. and they will be preparing a comprehensive plan to ensure compliance with the NRC regulations and conditions of the modifying order.

Sincerely,

Ron Preston

Ron Preston
President

RP:hdd

cc: Assistant General Counsel for Hearings and Enforcement
Office of General Counsel, U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Bruce Mallet, Chief
Nuclear Material Branch, Region III
799 Roosevelt Road
Glen Ellyn, IL 60137