

DCS

February 8, 1990
EN 90-016

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Testmaster Inspection Company, Inc. (EA 90-001) **30-29789**
Perrysburgh, Ohio
License No. 34-24871-01

Subject: PROPOSED IMPOSITION OF CIVIL PENALTIES - \$3,750

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$3,750 will be issued on or about February 13, 1990, to Testmaster Inspection Company, Inc., Perrysburgh, Ohio. This action is based on licensee's failures: to make a survey after each radiographic exposure, to make an adequate survey after each radiographic exposure, to retract a source into the exposure device at the end of an exposure, and to immediately contact the RSO after it was determined the dosimeters worn by the radiographer and the radiographer's assistant were off scale and the source in the exposed position. These violations are of concern as they indicate a significant failure to follow radiological safety procedures and the licensee's radiation safety program. The mitigation/escalation factors in the Enforcement Policy were considered and the base civil penalty reduced by 25 percent after balancing mitigation of 25 percent for identification and reporting and 100 percent for good past performance versus escalation of 50 percent for limited corrective action and 50 percent prior notice given in NRC's Information Notice No. 88-66, "Industrial Radiography Inspection and Enforcement." Application of other factors in the Enforcement Policy were not deemed appropriate.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is :

Mailing of Notice February 13, 1990
Telephone Notification of Licensee February 13, 1990

The State of Ohio will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

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

Distribution

OWFN 3:15
Chairman Carr
Comm. Roberts
Comm. Rogers
Comm. Curtiss
Comm. Remick
SECY
OCA
GPA
SP

OWFN 3:15
EDO
DEDR
DEDS
OE
NMSS
NRR
OI
OGC

MNBB 3:15 PHIL 3:15
OC IRM
AEOD
Op Ctr

Regional Offices MAIL
RI 3:15 RIV 3:15 ADM: Doc. Mgt. Br.
RII 3:15 RV 3:15 PDR ACRS
RIII 3:15 RES OIG

IF 33
0/1

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL PUBLICLY ANNOUNCED