

November 20, 1981
EN 81-43

OFFICE OF INSPECTION AND ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Dayton X-Ray Company, Dayton, OH
License No. 34-06943-01

Subject: NOTICE OF VIOLATION AND ORDER TO SHOW CAUSE

This is to inform the Commission that a Notice of Violation and an Order to Show Cause will be issued to Dayton X-Ray Company on or about November 27, 1981. The Order requests Dayton X-Ray Company to show cause why the license should not be revoked. This action is based on an inability by the licensee to conduct its industrial radiography program in accordance with NRC requirements, and an unwillingness by the licensee over a period of almost six years to assure that radiographic procedures were performed only by authorized personnel. Significant violations concern instances where the licensee permitted unauthorized individuals to perform radiography even though the licensee was specifically informed by the NRC not to do so, and a violation of an amendment to the license which allowed only one individual to perform radiographic operations. The enforcement history for this licensee includes two previous civil penalties imposed for failure to adequately train individuals to act as radiographers, and several enforcement conferences concerning inadequate training of individuals to act as radiographers.

The Notice of Violation contains fourteen violations, none of which warrant civil penalties; however, nine of the violations, which occurred under the old enforcement policy, are related to the use of unauthorized personnel in the performance of radiography.

A news release will be issued five days following issuance of the Order and Notice of Violation. The State of Ohio will be notified.

Action Signed	November 20, 1981
Mailing of Notice	November 27, 1981
Telephone Notification of Licensee	November 27, 1981

The licensee may, within 30 days of the date of the Order, file a written answer under oath or affirmation and may also request a hearing.

Contacts: J. Metzger, IE 24941 R. Wessman, IE 24900 D. Thompson, IE 24909

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PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL NOVEMBER 27, 1981

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