

Official Record

NOV 02 1990

Material Testing Laboratories, Inc.  
ATTN: Mr. James Cannon, President  
1531 Early Street  
Norfolk, VA 23502

Gentlemen:

SUBJECT: RECENT INSPECTION BY THE STATE OF NORTH CAROLINA

This refers to a telephone conversation which I had with Mr. L. Hinkley, Vice President, on November 1, 1990, concerning apparent violations of North Carolina Regulations for Protection Against Radiation and Title 49, Code of Federal Regulations governing transportation. These apparent violations were based on an October 16, 1990 inspection which was performed by the State of North Carolina and were documented in a letter sent to you by the State on October 25, 1990, a copy of which is enclosed.

In that conversation Mr. Hinkley agreed to submit to this office a copy of your letter of reply to the State of North Carolina, and a discussion of those management actions which are planned to ensure that radiographers in your employ fully understand the regulatory requirements and are sensitive to the safety aspects of their job. If your understanding of our discussion is different from that above, please inform this office promptly.

In accordance with the provisions of 10 CFR 2.790, a copy of this letter and the enclosure will be placed in the NRC Public Document Room.

Sincerely,

*(original signed by W. E. Cline)*

William E. Cline, Chief  
Nuclear Materials Safety  
and Safeguards Branch

Enclosure:  
October 25, 1990 Letter from  
the State of North Carolina

cc w/encl:  
State of North Carolina  
Commonwealth of Virginia  
bcc (see next page)

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State of North Carolina  
Department of Environment, Health, and Natural Resources

Division of Radiation Protection  
P.O. Box 27687 • Raleigh, North Carolina 27611-7687

James G. Martin, Governor  
William W. Cobey, Jr., Secretary

Dayne H. Brown, Director  
Telephone 919/733-4283

October 25, 1990

Mr. Jim Cannon, President  
Material Testing Laboratories, Inc.  
1531 Early Street  
Norfolk, VA 23502

Dear Mr. Cannon:

On October 16, 1990, I visited the Panda-Rosemary Cogeneration Project, Roanoke Rapids, N.C., for the purpose of inspecting industrial radiography field operations, as authorized by NRC license No. 45-17151-01. I appreciate the courtesy and cooperation I received while conducting this unannounced inspection.

The enclosed report lists eleven items of noncompliance with the North Carolina Regulations for Protection Against Radiation and Title 49 Code of Federal Regulations governing Transportation, which were observed during the visit and require your attention. Noncompliance item No. 9 was corrected during the inspection. Please notify this Agency no later than November 25, 1990 of the corrective action taken to clear the remaining noncompliance items. Actions taken should include procedures to assure that subject items will not recur.

Please be advised that in accordance with 10NCA( 3G.2445, this Agency may withdraw, limit or qualify the acceptance of any specific license or equivalent licensing document issued by another agency upon determining that the action is necessary in order to prevent undue hazard to public health and safety. The number and severity of the noncompliance items could lead to such a hazard. If future inspections reveal similar compliance problems, this Agency will consider taking action as outlined above.

If you have any questions regarding the inspection findings, please feel free to call me.

Sincerely,

*J. Robin Haden*

J. Robin Haden, Health Physicist  
Radioactive Materials Section

JRH/psj

Enclosure

cc - D.F. Gilbert, R.S.O, Materials Testing Laboratories, Inc.  
Wade Loo, Region II NRC

RADIOACTIVE MATERIALS SECTION  
DIVISION OF RADIATION PROTECTION  
N. C. DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

INSPECTION REPORT

Page 1 of 2 Pages

1) LICENSEE:

Material Testing Laboratories, Inc.  
2711 Nevada Ave.  
Norfolk, VA 23513

2) INSPECTING PERSONNEL:

J. Robin Haden

3) LICENSE NUMBER:

45-17151-01

4) DATE(S) OF INSPECTION:

October 16, 1990

The following activities under your license (identified in Item No. 3 above) appear to be in noncompliance with North Carolina Regulations or license requirements, as indicated.

1. Contrary to 10NCAC 3G.2612(a), the licensee allowed radiographers to work without properly recharged direct reading pocket dosimeters.
2. Contrary to 10NCAC 3G.2510, appropriate personnel monitoring equipment was not assigned to radiographic personnel in that:
  - a) Dave Combellick has his own personal dosimeters that were not part of the MTL QA program; and,
  - b) Mark Jacobson was issued a badge dated September 10, 1990. It was, therefore, not a current film badge.
3. Contrary to 10NCAC 3G.2606, the licensee did not have sufficient operable radiation survey instruments in that both survey meters had low batteries and only one set of replacement batteries was available.
4. Contrary to 10NCAC 3G.2610 (a)(1), (a)(2) and (b)(1) the radiographer (Dave Combellick) and the assistant radiographer (Mark Jacobson) did not demonstrate understanding of the applicable regulations or the licensee's operating and emergency procedures.
5. Contrary to 10NCAC 3G.2612(b), the radiographers and assistant radiographer did not record daily dosimeter readings.
6. Contrary to 10NCAC 3G.2445 the licensee did not:
  - a) Notify this Agency in writing three days prior to engaging in radiography in North Carolina, or
  - b) Comply with all applicable regulations of the Agency and with all terms and conditions of their licensing document, or
  - c) Supply a copy of their NRC License to perform radiography.
7. Contrary to 10NCAC 3G.2615 (c) and (d), records of storage surveys and confirmatory area surveys of restricted area were not available for inspection.
8. Contrary to 10NCAC 3G.2609, the radiographer did not maintain a complete and correct utilization log.
9. Contrary to 10NCAC .3101(a), the radiographer did not have a copy of the NRC license, applicable regulations or operating procedures.

(continued)

RADIOACTIVE MATERIALS SECTION  
DIVISION OF RADIATION PROTECTION  
N. C. DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

INSPECTION REPORT

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(continued)

10. Contrary to 49 CFR 172.403(b), a proper, correct and legible label was not affixed to the gamma camera or the convenience over pack.
11. Contrary to 49 CFR 172.203(d)(iii), the activity of the source was not properly recorded on the shipping paper.

NOTE: Provisions of 10 NCAC 3G .3102(a)(4) and (f) require any notice of violation involving radiological working conditions, any order issued pursuant to 10 NCAC 3G .2200, and any response from the licensee shall be posted within two (2) working days after receipt of the document from the Agency. The licensee's or registrant's response, if any, shall be posted within two (2) working days after dispatch from the licensee or registrant. Such documents shall remain posted for a minimum of five (5) working days, or until action correcting the violation has been completed, whichever is later.

J. Robin Haden  
Radiation Protection Section Representative

10/25/90  
Date