

7/21/82

MEMORANDUM FOR: James Lieberman, Acting Director, Enforcement Staff, Office of Inspection and Enforcement

FROM: Eric H. Johnson, Director, Investigation and Enforcement Staff, RIV

SUBJECT: ENFORCEMENT ACTION FOR MSI TESTING, INC., SALT LAKE CITY, UTAH (LICENSE 43-17142-01)

The enclosed Regional Office Letter and Notice of Violation for the subject licensee are forwarded for your information. Violation 1, which involves personnel acting as radiographers prior to qualifying as such in accordance with the licensee's training program, is being downgraded from a Severity Level III to a Level IV violation. The following circumstances surrounding this case, in our judgement, support this decision:

1. The use of radiographers who were not fully qualified according to the licensee's training program appears to be associated more with a general lack of attention to training records and requirements, previous employee experience, and dates, than with programmatic weaknesses involving safety, or intentional acts.
2. In the judgement of the inspector, the three individuals in question were no less "technically qualified" when they performed as radiographers, prematurely, than they were when they became fully qualified.
3. The violation did not result in any incident which jeopardized safety.
4. The licensee's enforcement history consists of four inspections during which no violations were identified.

Eric H. Johnson, Director  
Investigation and Enforcement Staff

Enclosures: As stated

bcc: c/o DMB (IE-07)	bcc: RIV
AEOD	J. Collins
IE Files	EJohnson/Marshall
IE/RSB	Inspector
NMSS	S. File
NRC PDR	HQ File
	RIV File

MRPS *[Signature]*  
BSpitzberg/de  
7/19/82

MRPS *[Signature]*  
JEverett  
7/19/82

TPB *[Signature]*  
GBrown  
7/19/82

DIES *[Signature]*  
EJohnson  
7/19/82

RA/RIV  
JCollins  
7/20/82

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