U. S. NUCLEAR REGULATORY COMMISSION

REGION V

Report No. 82-02

License No. 04-21032-01 Priority 2 Category C1

Licensee: Plant Inspection Company

22903 Atherton Street

Hayward, California 94541

Facility Name: Plant Inspection Company

Conference at: Licensee's Facility

Conference conducted: July 27, 1982

Participants: A. D. Johnson 8/2/82

A. D. Johnson, Director
Enforcement and Investigation Staff
Date Signed

R. D. Thomas 8/2/82

R. D. Thomas, Chief
Materials Radiation Protection Section
Date Signed

Approved by: H. E. Book 8/2/82

H. E. Book, Chief
Radiological Safety Branch
Date Signed

Summary:

Enforcement Conference on July 27, 1982 (Report No. 82-02)

The following matters were discussed:

1. Items of noncompliance identified during a recent inspection.
2. NRC enforcement policies and procedures.
3. NRC actions to be taken in the present situation.
4. Possible future actions by the NRC.
5. Other matters of concern to NRC.

This enforcement conference involved a total of one-half hour on-site by two NRC representatives.

DETAILS

1. Enforcement Conference Participants

J. McCormick, General Manager
C. McCormick, Assistant Manager
A. D. Johnson, Director, Enforcement and Investigation Staff, NRC, Region V
R. D. Thomas, Chief, Materials Radiation Protection Section, NRC, Region V

2. Enforcement Conference

On July 27, 1982, an enforcement conference was held at the Plant Inspection Company, Hayward, California with the individuals listed above participating. The enforcement conference was related to the recent routine safety inspection of the activities authorized by NRC License Number 04-21032-01. The inspection was conducted on July 7, 1982. The enforcement conference was announced in a letter to the licensee dated July 16, 1982. A copy of that letter is attached.

The Notice of Violation dated July 15, 1982 had been received by the the licensee. A copy of Appendix A to the Notice of Violation is attached.

During the conference, Mr. R. Thomas, NRC, reviewed the individual items of noncompliance which were identified during the last inspection in detail since an overexposure to a radiographer was involved. Specifically, Item A of Appendix A to the Notice of Violation was discussed thoroughly since this item had been downgraded from a Severity Level III Violation due to mitigating circumstances associated with the applicability of a Form NRC-4. If the licensee had a Form NRC-4 on file for the radiographer, the radiation exposure received by the radiographer would have been within the 3 rem per quarter limitation specified in 10 CFR 20.101(b). Mr. Thomas stressed NRC's concern for a strong day-by-day radiation safety program. The need for strong participation on the part of management to control the overall licensee program was stressed as one of the most significant requirements in maintaining an acceptable radiological safety program.

Mr. A. Johnson, NRC, explained the enforcement polices and procedures of the NRC, as published in 47 FR 9987. Particular emphasis was placed on escalated enforcement actions such as civil penalties, orders to modify, suspend, or revoke licenses, and orders to cease and desist. The relative significance of the different severity levels was explained, and it was pointed out that any violations of this license would fall into Supplements IV and VI of the Federal Register Notice. A copy of the Federal Register Notice was given to the licensee. The licensee was informed that the enforcement action to be taken at this time consisted of the Notice of Violation in conjunction with the enforcement conference which was being held.

Mr. Thomas, NRC, also explained that if a violation was not corrected satisfactorily, if it was repeated, or if a similar violation occurred, escalated enforcement action would probably be taken by the NRC. It was stressed that this provision would remain in effect for two years or until the next inspection, whichever was longer. The licensee was informed that an early reinspection would be conducted by the NRC.

3. Conclusions

The licensee's response to the enforcement conference was acceptable and a commitment for a stronger management and audit control program was made. The enforcement conference was adjourned at 10:30 A.M.