

MAR 03 1994

Docket No.: 150-00032  
License No.: General License  
(10 CFR 150.20)  
EA 93-241

S. K. McBryde, Inc.  
ATTN: Mr. Charles A. Gay  
President  
1103 Norwalk Street  
Greensboro, NC 27407

Gentlemen:

SUBJECT: ENFORCEMENT CONFERENCE SUMMARY  
(OFFICE OF INVESTIGATIONS REPORT NO. 2-91-006R)

This letter refers to the Enforcement Conference held by telephone at our request on February 16, 1994. This meeting concerned radiography activities conducted, under a general license granted in accordance with 10 CFR 150.20(a), during March 1991 in Abingdon, Virginia. The issues discussed at this conference are summarized in Enclosure 1 to this letter. A list of attendees is provided as Enclosure 2. We are continuing our review of these issues to determine the appropriate enforcement action.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

Should you have any questions concerning this matter, please contact us.

Sincerely,



J. Philip Stohr, Director  
Division of Radiation Safety  
and Safeguards

Enclosures:

1. Summary of Enforcement Conference
2. List of Attendees

cc w/encls:  
State of North Carolina

bcc w/encls: (See page 2)

9403150219 940303  
PDR MISC  
943150219 PDR

0110

IE45

S. K. McBryde, Inc.

2

MAR 03 1994

bcc w/encls:  
J. Lieberman, OE  
B. Mallett, DRSS  
B. Uryc, EICS  
D. M. Collins, DRSS  
C. Hosey, DRSS  
Document Control Desk  
RII Docket File

g:\drss\mcbsumry.dmc

RII:DRSS  
*DMC*  
DMCollins  
02/27/94

RII:DRSS  
*DM*  
BMallett  
02/1/94

~~RII:EICS~~  
*W.*  
BUryc  
02/02/94  
03

RII:ORA  
*CE*  
CEvans  
02/02/94  
03

## ENCLOSURE 1

### ENFORCEMENT CONFERENCE SUMMARY

Dr. Mallett opened the conference by explaining the purpose of the conference. Mr. Uryc outlined the enforcement policy and process for review and decision-making for potentially escalated enforcement. Dr. Mallett then outlined the two apparent violations to be discussed:

- (1) The failure on the part of a radiographer to provide complete and accurate information in records of radiation surveys. On March 8, 12 and 14, 1991, the radiographer incorrectly recorded radiation surveys to reflect that surveys were performed with an instrument calibrated pursuant to 10 CFR 34.24, when in fact the instrument identified on the survey record was not the one used to perform the survey. This was an apparent violation of 10 CFR 30.9.
- (2) The instrument actually used to perform the survey exceeded the calibration interval of three months by a few days, in apparent violation of 10 CFR 34.43 and 10 CFR 34.24.

During the enforcement conference the licensee's President (Mr. Gay) and Radiation Safety Officer (RSO) discussed the causes of the apparent violations and corrective actions taken to prevent reoccurrence. During the conference the radiographer stated that he discovered, when he arrived at the job site, that both survey meters he intended to use exceeded the calibration interval of three months by a few days. The radiographer stated that he used the survey meter he had with him to do the work to support the customer. The radiographer further stated that he knew that the meter was providing accurate radiation level readings because he had used it just days before during training and the readings from the meter during training had been accurate. The radiographer said that he recorded the incorrect survey meter number on the survey record because he did not want his paperwork showing he used an out-of-calibration survey meter. The radiographer said he had not understood the impact of his actions at the time.

Mr. Gay reviewed the corrective actions taken, which included:

- The RSO is now responsible, rather than individual radiographers, to ensure survey meters are calibrated in accordance with requirements. The RSO will ship survey meters for calibration. The RSO has a weekly tickler system to remind him of calibration due dates. The RSO personally picks up meters nearing calibration and replaces them with currently calibrated meters. The RSO maintains possession of survey meters awaiting calibration.
- The President will audit the performance of the RSO seeing that survey meters are appropriately calibrated.

- Radiographers have been trained to not let the pressure of work influence the need to work safely and within regulations. If there are any questions, the radiographers are to refer customers to McBryde management rather than attempting to resolve them. Mr. Gay and the RSO conveyed these expectations to the S. K. McBryde staff.
- Radiographers have been trained on the need to provide accurate information in records.
- The other S. K. McBryde radiographer was briefed on the events, how and why it happened and what the appropriate action should have been.

Mr. Gay stated that the above corrective actions were taken shortly after they became aware of the March 1991 situation, which was after the NRC Office of Investigations began the investigation.

Mr. Gay stated that it was his conclusion that this was an isolated event as it relates to the radiographer's performance. Mr. Gay stated that he has known the radiographer and his work for eight years. Mr. Gay stated that during these eight years they have done numerous unannounced inspections of the radiographer, and that the radiographer's actions in March 1991 are not normal for the work he does. Mr. Gay and the radiographer indicated they understood the following: If something is not in accordance with requirements in future, it is the responsibility of radiographer to wait until corrected before proceeding.

In response as to why the radiographer completed survey forms indicating TEI Analytical, Mr. Gay and the RSO indicated that there was some confusion at the time. They understood that they were working under S. K. McBryde's license at the time and the radiographer also completed S. K. McBryde forms. Mr. Gay clarified that S. K. McBryde is a separate entity from TEI Analytical.

Dr. Mallett stated that the NRC would review the information provided as part of the decision-making process and correspond separately with S. K. McBryde when a final decision on enforcement was made.

ENCLOSURE 2

LIST OF PARTICIPANTS

U. S. Nuclear Regulatory Commission

B. S. Mallett, Deputy Director, Division of Radiation Safety and Safeguards  
C. F. Evans, Regional Counsel  
B. Uryc, Acting Director, Enforcement and Investigation Coordination Staff  
D. M. Collins, Branch Chief, Nuclear Materials Safety and Safeguards Branch  
N. Mamish, Office of Enforcement

Licensee Attendees

C. A. Gay, President  
J. E. Buchanan, Radiation Safety Officer  
R. R. Morton, Radiographer