



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

311 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

MAR 14 1994

Docket 030-32190
License 49-27356-01
CAL 4-94-02

Western Industrial X-Ray Inspection
Company, Inc.
ATTN: Mr. Larry Wicks
P.O. Box 468
Evanston, Wyoming 82931-0468

SUBJECT: CONFIRMATORY ACTION LETTER

Western Industrial X-Ray Inspection Company, Inc. (W.I.X.) is the holder of NRC Byproduct Material License No. 49-27356-01, which authorizes the use of byproduct material for industrial radiography operations.

During a field site inspection conducted at a licensee temporary jobsite in Granger, Wyoming, on March 9, 1994, an NRC inspector observed a radiographer's assistant performing radiographic operations without the radiographer watching the assistant's performance of these operations as required by 10 CFR 34.44. This violation is of particular concern to the NRC because it was also identified during a previous NRC inspection conducted in January 1994, at which time you were informed of this finding. This recent finding suggests that you have not taken action to prevent violations of this nature which could have significant health and safety impacts.

Pursuant to a telephone conversation between Mr. Larry Wicks and Mr. Chuck Cain on March 11, 1994, it is our understanding that you will take the following actions (which will be completed by the dates specified) to assure compliance with NRC requirements:

1. Effective March 11, 1994, W.I.X. will perform a weekly field inspection to observe and record the performance of each individual who participates in radiographic operations. These inspections shall be documented in such a manner as to clearly identify that all NRC requirements were reviewed and that corrective actions were taken if deviations were identified in order to ensure compliance with NRC regulations. These inspections shall review all NRC requirements pertaining to your licensed operations but particularly those identified in our letter dated March 2, 1994.

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CERTIFIED MAIL-RETURN RECEIPT REQUESTED

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PDR ADOCK 03032190
C PDR

JE07/0

2. Copies of completed inspection records shall be submitted to us during the enforcement conference scheduled to be conducted in our office on April 1, 1994. The need for continued weekly inspections will be discussed with you during the enforcement conference.

Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, and 10 CFR 2.204, you are required to:

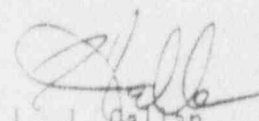
1. Notify me immediately if your understanding differs from that set forth above;
2. Notify me if for any reason you cannot complete the actions within the specified schedule and advise me in writing of your modified schedule in advance of the change; and
3. Notify me in writing when you have completed the actions addressed in this Confirmatory Action Letter.

Issuance of this Confirmatory Action Letter does not preclude issuance of an order formalizing the above commitments or requiring other actions on the part of the licensee. Nor does it preclude the NRC from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter. In addition, failure to take the actions addressed in this Confirmatory Action Letter may result in enforcement action.

The responses directed by this letter are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Action of 1980, Pub. L. No. 96-511.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures, if any, will be placed in the NRC Public Document Room.

Sincerely,



L. J. Gallan
Regional Administrator

cc:
NRC Public Document Room
Wyoming Radiation Control Program Director

bcc:
 DMB- IE-07
 J. L. Lieberman, D/OE (2) (7 H5)
 L. J. Chandler, Asst. GC/OGC (15 B18)
 H. L. Thompson, DECS (17 G21)
 R. M. Bernero, D/NMSS (6 E6)
 J. E. Glenn, AC/MACUS (6 H3)
 RIV Coordinator, OEDO (17 G21)
 L. J. Callan, RA
 W. L. Brown, RC
 S. J. Collins, D/DRSS
 L. W. Camper, ADD/DRSS
 W. L. Fisher, Branch Chief
 C. L. Cain, Branch Chief
 G. F. Sanborn, EO
 J. T. Gilliland, PAO
 J. Carson, ORA
 RIV Files
 NMIB File
 NMIB and NMLB Inspectors (14)

RIV:DRSS:NMIB	C:NMIB <i>JLC</i>	ADD:DRSS	D:DRSS	EO <i>ES</i>
MRS Shaffer	CLCain	LWCamper	SJCollins	GFSanborn
3/11/94	3/11/94	3/14/94	3/14/94	3/14/94

RC	DRA	RA		AI 94-053
WLBrown	JMMontgomery	LJCallan		
3/ /94	3/ /94	3/14/94		

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RC	DRA	RA <i>[Signature]</i>		AI 94-053
WLBrown	JMMontgomery	LJCallan		
3/ /94	3/ /94	3/11/94		