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MQS Inspection, Inc.
ATTN: Mr. Hugh Dcran
President
2301 Arthur Avenue
Elk Grove Village, IL 60007

License No. 12-00622-07
Docket No. 030-04041
EA No. 90-149

Gentlemen:

This refers to an Enforcement Conference conducted by Mr. A. B. Davis and other members of the Region III and Headquarters staffs on September 18, 1990, to discuss with you and your staff the two offscale dosimeter incidents that occurred at radiographic field sites on April 19 and May 9, 1990, and the apparent violations and concerns identified during our May 1 and August 23, 1990 inspections. The inspection reports documenting the findings of these inspections were sent to you on September 10, 1990. A report summarizing the matters discussed during the Enforcement Conference is enclosed.

The violations of NRC regulatory requirements identified during the inspections included: (1) failure to immediately stop operations and notify licensee management after discovering that a radiographer's dosimeter had discharged beyond its range (April 19, 1990 event); (2) failure to perform an adequate survey after each exposure to determine that the sealed source was returned to its shielded position (both April 19 and May 9, 1990 events); (3) failure to secure/lock the sealed source assembly in the shielded position after each exposure (both April 19 and May 9, 1990 events); (4) failure to recharge a pocket dosimeter before starting radiographic operations (April 19, 1990 event); (5) permitting an unauthorized individual to act as a radiographer (April 19, 1990 event); (6) failure of the audible warning signal in a permanent radiographic installation to activate as required (non-event related); and (7) failure to wear either a film badge or thermoluminescent dosimeter during radiographic operations (May 9, 1990 event). Collectively, these violations appeared to be the result of a breakdown in the management control of your Wilmington, Delaware facility. Additionally, although no regulatory exposure limits were exceeded during either offscale dosimeter event and the whole body exposures to the two radiographic personnel involved in the May 9, 1990 event were 553 mrem and 355 mrem, the potential for more significant exposures appeared to exist.

During the September 18, 1990 enforcement conference, we discussed the violations, our concerns regarding the management control of your Wilmington, Delaware facility and your corrective actions. Based on the additional information you presented during the enforcement conference, we have concluded that the violations identified during the May 1 and August 23, 1990 inspections were not the result of a breakdown in the management control of your Wilmington, Delaware facility. Furthermore, we acknowledge that you have taken significant corrective steps to improve the performance of radiographic

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personnel. This includes a positive safety attitude and strong management controls by your corporate office. Additionally, it appears that potential for further significant exposure did not exist. Consequently, I have decided not to propose escalated enforcement action.

In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions" 10 CFR Part 2, Appendix C (1990) (Enforcement Policy), the violations described in the enclosed Notice of Violation (Notice) have been classified at Severity Level IV.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The response is required within 30 days of the date of this letter transmitting the Notice.

After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 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.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. 96-511.

Sincerely,

Charles E. Norelius, Director
Division of Radiation Safety and
Safeguards

Enclosures:

- 1. Notice of Violation
- 2. Enforcement Conference Report
No. 030-04041/90006(DRSS)

cc w/enclosures:
DCD/DCB (RIDS)

bcc w/enclosures:
J. Lieberman, OE
J. Goldberg, OGC
R. Bernero, NMSS

RIII
WAS
Slawinski/lh
11/1/90

RIII
WAS
Schultz
11-1-90

RIII
GAS
Grobe
11/1

(40)
RIII
C.N. [unclear]
Pederson
11/1/90

yes
RIII
WAS
Norelius
11/1/90