

DMB

License No. 42-16534-01

15 SEP 1983

Metils, Inc.
ATTN: Lee Wall, Vice President
8527 Monroe
Houston, Texas 77061

Gentlemen:

This refers to the special inspection conducted by Mr. D. B. Spitzberg of this office on April 4-6, 1983, as a result of your report to Region IV of a potential overexposure to a member of the public from radiation sources used in your field radiographic operations. The inspection was an examination of the activities conducted under the license as they relate to radiation safety and to compliance with the Commission's rules and regulations, and the conditions of the license. The results of the special inspection are contained in the enclosed Inspection Report 30-11201/83-01 (Appendix B). The inspection consisted of selective examinations of procedures and representative records, interviews of personnel, independent measurements, and observations by the inspector.

This also refers to the enforcement conference held on August 2, 1983, to discuss the findings of the NRC inspection. The enclosed Inspection Report 30-11201/83-02 (Appendix C) documents this enforcement conference.

While the inspection and subsequent review of this event did not reveal that an overexposure had occurred, it was determined that your level of controls over access to a high radiation area could result in an individual entering such an area. This activity was found not to be conducted in full compliance with NRC requirements as described in the attached Notice of Violation (Appendix A). Consequently, you are required to respond to this matter, in writing, in accordance with the provisions of Section 2.201 of the NRC "Rules and Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation attached to this letter.

The violation identified is classified as a Severity Level IV violation. As indicated in Supplement VI of the NRC Enforcement Policy, significant violations of this type are normally classified as Severity Level III. However, after careful consideration of the factors involved in this specific instance, including the fact that the ineffectiveness of your controls resulted in a hazard of potential significance only under the unusual and uncommon circumstances that were encountered, we have exercised our judgement under the NRC Enforcement Policy and have classified this violation as Severity Level IV. Similar violations of this type in the future may result in additional enforcement action.

MRPSTRE
BSptizberg/sm
8/10/83

MRPS
JEverett
8/11/83

TPB
GBrown
8/14/83

TWesterman
8/15/83

DVBT
RBangart
8/17/83

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NMS LIC30
42-16534-01 PDR

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

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter and the enclosed inspection report will be placed in the NRC's Public Document Room. If this report contains any information that you believe to be exempt from disclosure under 10 CFR 9.5(a)(4), it is necessary that you (a) notify this office by telephone within 10 days from the date of this letter of your intention to file a request for withholding; and (b) submit within 25 days from the date of this letter a written application to this office to withhold such information. If your receipt of this letter has been delayed such that less than 7 days are available for your review, please notify this office promptly so that a new due date may be established. Consistent with Section 2.790(b)(1), any such application must be accompanied by an affidavit executed by the owner of the information which identifies the document or part sought to be withheld, and which contains a full statement of the reasons on the basis which it is claimed that the information should be withheld from public disclosure. This section further requires the statement to address with specificity the considerations listed in 10 CFR 2.790(b)(4). The information sought to be withheld shall be incorporated as far as possible into a separate part of the affidavit. If we do not hear from you in this regard within the specified periods noted above, the report will be placed in the Public Document Room.

Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,

Glen D. Brown, Chief
Technical Program Branch

Enclosures:

1. Appendix A - Notice of Violation
2. Appendix B - Special Inspection Report 30-11201/83-01
3. Appendix C - Inspection Report 30-11201/83-02

cc:

RV

Sidney Heidersdorf, State of Alaska

bcc:

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