

APPENDIX A
NOTICE OF VIOLATION

Northwest X-Ray, Inc.
Idaho Falls, Idaho

Docket: 99990004
NRC General License

During an NRC inspection conducted on June 13, and July 1, 1985, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985), the violation is listed below:

10 CFR 150.20 requires, in part, that (a) any person holding a specific license from an agreement state is hereby granted a general license to conduct the same activity in non-agreement States. (b) the general licenses provided in this section are subject to the provisions of Part 20 and Subpart B of Part 34 of this chapter. In addition, any person engaging in activities in non-agreement states shall, (1) at least 3 days before engaging in each such activity file 4 copies of Form NRC-241 (revised) "Report of Proposed Activities in Non-Agreement States," and 4 copies of its agreement state specific license with the Director of the Nuclear Regulatory Commission Inspection and Enforcement Regional Office for the region in which the agreement state that issued the license is located, and (4) shall comply with all terms and conditions of the specific license issued by an agreement state.

- a. State of Idaho License IDA-207 Condition 11 specifies by name the only persons authorized to act as radiographers or radiographer's assistants.

Contrary to this requirement, from May 21, 1985 to June 14, 1985, two individuals not specified on the license acted as radiographers for the licensee near Cutbank, Montana.

- b. State of Idaho License IDA-207 Condition 18 requires, in part, that licensed material be used in accordance with statements, representations and procedures contained in the Administrative, Operating, and Emergency Procedures Manual with revision submitted January 25, 1983. Section 8.1 of the Procedures Manual states, that experienced radiographers seeking employment at NXI shall have a minimum of 6 months experience as a radiographer. Documented evidence is required and shall take the form of a Certificate of Radiation Training and a letter attesting to the experience gained from the former employer.

Contrary to this requirement, as of July 1, 1985, no documented evidence had been obtained to certify that a certain employee hired on May 19, 1985, had the required previous training and experience such that he could be assigned to act as a licensee radiographer in Montana from May 21, 1985, to June 14, 1985.

- c. 10 CFR 34.27 requires, in part, that the licensee shall maintain current logs showing for each sealed source the plant or site where used and dates of use.

Contrary to this requirement, on June 13, 1985, the logs in the possession of a licensee radiographer near Cutbank, Montana, were not being maintained current for the site and dates of use.

- d. Contrary to the requirements of 10 CFR 150.20(1) the licensee failed to submit the required Form NRC 241 and copies of the agreement state license to the NRC Region IV office prior to performing licensed activities in the non-Agreement State of Montana during June and July 1984, and on March 8, 1985.

This is a Severity Level IV Violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Northwest X-Ray, Inc. is hereby required to submit to this office within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violations if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,
this 31st day of July, 1985.