



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

January 23, 1998

EA 97-611

Mr. Michael Lange
Vice President/Radiation Safety Officer
QSL Inspection, Inc.
5 Nealy Boulevard
Trainer, Pennsylvania 19061

SUBJECT: NOTICE OF VIOLATION
(NRC Inspection Report No. 030-30170/97-001)

Dear Mr. Lange:

This refers to the NRC inspection conducted on November 25, 1997 and December 8, 1997, at Huntington Valley, Pennsylvania; Trainer, Pennsylvania; and Newark, Delaware, the findings of which were discussed with you during an exit meeting on December 8, 1997. During the inspection, one violation of NRC requirements was identified, as described in the NRC inspection report transmitted with our letter dated December 23, 1997. In the December 23, 1997 letter, the NRC provided you an opportunity to either respond in writing to the apparent violation addressed in the inspection report or request a predecisional enforcement conference. You requested a predecisional enforcement conference which was held on January 21, 1998, to discuss the violation, its causes, and your corrective actions. The conference summary report is enclosed.

Based on the information developed during the inspection and the information you provided during the conference, the NRC has determined that one violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report. The violation involves the failure by two of your radiographers to appropriately secure a radiography device, containing 74 curies of iridium-192, while the device was in a vehicle located at a temporary jobsite in Newark, Delaware on December 8, 1997. Specifically, on that date, the inspectors observed that after the two radiographers arrived at the temporary jobsite, they exited the vehicle (which contained the radiography device in a darkroom at the back of the vehicle) and entered a building. Although the door to the vehicle's darkroom was locked, the front door to the vehicle was unlocked with the key in the ignition, and there were keys on the key ring that would open the vehicle's darkroom as well as the overpack that was securing the radiography device.

This violation represents a significant regulatory concern because the failure to maintain appropriate security of the material could result in the device being lost or stolen. At the conference, you contended that in this case it was unlikely that the device could have been stolen because you could observe the vehicle from your personal vehicle which was parked nearby, the radiographers were away from the vehicle for a short period of time, and the area was not easily accessible to members of the public. The NRC acknowledges your position; however, there was a potential for loss of control of licensed material which, if lost or stolen,

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could have resulted in significant exposure to members of the public due to the activity of the iridium source. Therefore, the violation is classified at Severity Level III in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The violation demonstrates the importance of adequate oversight of your radiographers to ensure appropriate security of these devices is maintained.

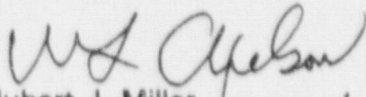
In accordance with the Enforcement Policy, a base civil penalty in the amount of \$2,750 is considered for a Severity Level III violation. Because your facility has not been the subject of an escalated enforcement action within the last two years, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section VI.B.2 of the Enforcement Policy. Credit for corrective actions is warranted because your corrective actions were considered prompt and comprehensive. These actions, which were described during the inspection, as well as during the conference, included, but were not limited to: (1) counseling of the particular radiographers regarding expectations; (2) training for all radiographers to assure they understand acceptable practices; and (3) issuance of a memorandum to all radiographers addressing the security of sealed source devices.

Therefore, to encourage prompt and comprehensive correction of violations, I have been authorized to not propose a civil penalty in this case. However, similar violations in the future could result in further escalated enforcement action.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.720 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response will be placed in the NRC Public Document Room (PDR).

Sincerely,


Hubert J. Miller
Regional Administrator 

Docket No. 030-30170
License No. 37-28085-01

Enclosures: 1. Notice of Violation
2. Predecisional Enforcement Conference Report

cc w/encl:
Commonwealth of Pennsylvania
State of Delaware
State of North Carolina

QSL Inspection, Inc

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