October 19, 1999
EN 99-035

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Professional Service Industries, Inc. (EA 99 -194)
Lombard, Illinois

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - $8,800

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the amount of $8,800 will be issued on or about October 22, 1999, to Professional Service Industries, Inc. This action is based on one Severity Level II problem involving the deliberate failure to: (1) conduct radiography with at least two qualified individuals to observe operations; and (2) supervise a radiographer's assistant while performing radiographic operations. A Severity Level IV violation is also being issued to the licensee for deliberate failure to maintain control and constant surveillance of licensed material that was in an unrestricted area. In addition, a Order will be issued to a radiographer to prohibit involvement in licensed activities for one year for violating the Commission's rules prohibiting deliberate misconduct, 10 CFR 30.10; and a radiographer's assistant will be issued a Severity Level III violation for violating the Commission's rule prohibiting deliberate misconduct, 10 CFR 30.10.

In accordance with the Enforcement Policy, the NRC staff considered whether credit was warranted for Identification and Corrective Action. Credit is not warranted for Identification because the NRC staff identified the violations. Credit for Corrective Action is warranted because the licensee took prompt and comprehensive corrective actions. This results in the assessment of a civil penalty at the base value (i.e. $8,800) for the Severity Level II problem.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice October 22, 1999

The State of Illinois and Idaho will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contacts: , M. LaFranzo, OE, 415-2747 R. Borchardt, OE, 415-2741

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PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

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PDR I+E EN-99-194