

March 14, 2006
EN 06-009

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Bayou Inspection Services, Inc. (EA 05-137)
Amelia, Louisiana 70340
Docket No. 15000017, General License Pursuant to 10 CFR 150.20

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$6,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$6,000 will be issued on or about March 17, 2006, to Bayou Inspection Services, Inc. This action is based on a violation associated with two examples of a failure to secure or maintain constant surveillance of licensed material (radiographic exposure devices) on two separate offshore platforms in unrestricted areas. One example was determined to be willful. Specifically, at two temporary job sites in federal waters, radiography devices were found to be stored in unlocked, unattended darkrooms that were not under direct surveillance of radiography personnel. In the case of the willful failure, a radiographer stated he consciously left the hasp unlocked on the dark room (with the radiography exposure device inside) when he went upstairs to obtain certain paperwork. NRC concluded that he knew he was going to be out of sight of the dark room because he had been upstairs previously. Based on the potential safety significance of leaving radiographic exposure devices unsecured and unattended in two separate instances, with one of these instances involving willfulness, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III.

The NRC considered whether credit was warranted for Identification and Corrective Action for the willful SL III violation in accordance with the civil penalty assessment process in Section VI.C.2 of the NRC Enforcement Policy. Identification credit was not warranted since the violations were identified by the NRC. Credit was warranted for corrective action based on the licensee's actions described in a letter dated November 19, 2005. Specifically, Bayou's corrective actions included speaking to the involved personnel about the importance of complying with NRC regulations, reviewing the violations during safety meetings, and most notably, planning to make future field inspections on offshore platforms in addition to the field inspections it conducts on land. Therefore, to emphasize the importance of compliance with NRC regulations, the NRC proposes imposition of a Civil Penalty in the base amount of \$6,000 for a SL III violation. The NOV also includes a SL IV violation for a failure of a licensee employee to wear an operating alarm ratemeter when acting as a radiographer's assistant during radiographic operations.

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	March 17, 2006
Telephone Notification of Licensee	March 17, 2006

The Louisiana Radiation Control Program Director 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: Sally Merchant, OE, 415-2747; Chris Nolan, OE, 415-2741

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VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**