



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

August 2, 2018

EA-18-050

David J. Boudreaux
Radiation Safety Officer
The NACHER Corporation
108 Lois Road
Houma, Louisiana 70363

SUBJECT: NOTICE OF VIOLATION; NRC INSPECTION REPORT 150-00017/2018-001

Dear Mr. Boudreaux:

This letter refers to the inspection conducted on April 24, 2018, at your facility located in Houma, Louisiana. The inspection was conducted in response to a March 31, 2018, event notification report (Event 53306) involving the malfunction of a radiography exposure device, and the subsequent actions taken by two radiographers who were not properly trained to perform source recovery activities. The results of the inspection and details regarding the apparent violations were provided to you in U.S. Nuclear Regulatory Commission (NRC) Inspection Report 150-00017/2018-001, dated July 17, 2018, Agencywide Documents Access and Management System (ADAMS) Accession ML18198A239.

In the letter transmitting the inspection report, we provided you with the opportunity to address the apparent violations identified in the report by either attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. In a letter dated July 23, 2018, ADAMS Accession ML18208A238, you provided a response to the apparent violations.

Based on the information developed during the inspection and the information that you provided in your response to the inspection report, the NRC has determined that two violations of NRC requirements occurred. These violations are cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding them are described in detail in the subject inspection report. The violations include: (1) the failure to do an adequate equipment check, required by Title 10 of the *Code of Federal Regulations* (10 CFR) 34.31(a), that resulted in a radiography device guide tube disconnect and an unshielded 77 curie iridium-192 radiography source stuck out of the exposure device; and (2) the failure to follow emergency procedures, required by 10 CFR 150.20(b)(5), that resulted in a hazardous source retrieval operation by personnel that were not properly trained and without radiation safety officer approval.

The failure to perform an adequate equipment check is significant because it can prevent the early identification of equipment malfunctions, such as a guide tube disconnect. The failure to follow emergency procedures is significant because source retrieval is a hazardous activity that should only be conducted by properly trained individuals following radiation safety officer

approval. Therefore, these violations have been categorized in accordance with the NRC Enforcement Policy as Severity Level III.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$14,500 is considered for each Severity Level III violation.

Because your facility has not been the subject of escalated enforcement actions within the last 2 years, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. The NRC determined that *Corrective Action* credit is warranted for your corrective actions, which included: providing classroom training and hands-on coaching to the radiographers involved in the event; performing a safety stand-down companywide; sending a bulletin to all radiography personnel covering the importance of equipment inspections, defining source retrieval, and the requirement to stop all work and call the radiation safety officer in the event of source recovery. You also committed to place lead shot bags and lead shielding sheets in each offshore darkroom so an exposed source can be shielded temporarily, if needed.

Therefore, to encourage prompt and comprehensive correction of violations, and in recognition of the absence of previous escalated enforcement action, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty. In addition, issuance of these Severity Level III violations constitutes escalated enforcement action that may subject you to increased inspection effort.

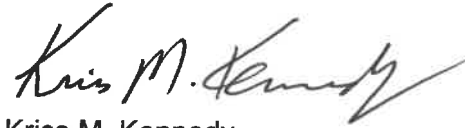
The NRC has concluded that information regarding: (1) the reason for the violations; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 150-00017/2018-001, and your letter dated July 23, 2018. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390, of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such information, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

If you have any questions concerning this matter, please contact Mr. Michael Hay of my staff at 817-200-1455.

Sincerely,

A handwritten signature in black ink, appearing to read "Kriss M. Kennedy". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kriss M. Kennedy
Regional Administrator

Docket No. 150-00017
License: 10 CFR 150.20

Enclosure:
Notice of Violation

cc w/Enclosures:
Jeff Dauzat, Administrator
State of Louisiana Radiation Control Program

NOTICE OF VIOLATION

The NACHER Corporation
Houma, Louisiana

Docket No. 150-00017
License No. 10 CFR 150.20
EA-18-050

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on April 24, 2018, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 34.31(a) requires, in part, that the licensee shall perform visual and operability checks on radiographic exposure devices and associated equipment before use on each day the equipment is to be used to ensure that the equipment is in good working condition. If equipment problems are found, the equipment must be removed from service until repaired.

Contrary to the above, on March 31, 2018, the licensee failed to adequately perform visual and operability checks on a radiographic exposure device and associated equipment before use on that day to ensure that the equipment was in good working condition. Specifically, a guide tube disconnect occurred because the licensee's operability check did not ensure that the grease, dirt, and grime was cleared from the guide tube's connection to the exposure device, which ultimately resulted in the inability to return the source to the shielded position.

This is a Severity Level III violation (NRC Enforcement Policy Section 6.3.c.4).

- B. 10 CFR 150.20(b)(5) requires, in part, that the licensee comply with all terms and conditions of the specific license issued by an Agreement State except such terms or conditions as are contrary to the requirements of 10 CFR 150.20.

License Condition 10 of Louisiana License LA-13066-L01, Amendment 36, states, in part, that the licensee is authorized to do source retrieval in accordance with company operating and emergency procedures.

Operating and Emergency Procedures, NTOPMI-031-NDT-OE, Section 7, "Procedures for Lay Barges & Offshore Platforms," Revision 4; Section 10.0, "Emergency Procedures," step 10.2 requires, in part, that radiographic personnel are to contact the radiation safety officer (RSO) in the event a source cannot be fully retracted to the fully shielded position. Only radiographers who have been specifically authorized by the RSO may attempt source recovery operations, and then only after specific RSO approval.

Contrary to the above, on March 31, 2018, the licensee engaged in activities in Non-Agreement States under the general license provided in 10 CFR 150.20, and failed to comply with all terms and conditions of the specific license issued by an Agreement State, and failed to implement Operating and Emergency Procedures, NTOPMI-031-NDT-OE. Specifically, radiographic personnel failed to contact the RSO when a source could not be fully retracted to the fully shielded position. In addition,

the radiographers performed source recovery operations without having been properly trained and without RSO approval.

This is a Severity Level III violation (NRC Enforcement Policy Section 6.3.c.5).

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved, is already adequately addressed on the docket in NRC Inspection Report 150-00017/2018-001 and your letter dated July 23, 2018. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation; EA-18-050" and send it to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, with a copy to the Document Control Desk, Washington, DC 20555-0001 and the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 1600 E. Lamar Blvd., Arlington, TX 76011-4511, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 2nd day of August, 2018

**NOTICE OF VIOLATION; NRC INSPECTION REPORT 150-00017/2018-001 - DATED
August 2, 2018, 2018**

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ADAMS ACCESSION NUMBER: ML18215A167

☒ SUNSI Review:

By: JGK

☒ Yes ☐ No

☐ Non-Publicly Available

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☒ Non-Sensitive

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Keyword:

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