

DEC 28 1992

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Western Technologies, Inc.
Phoenix, Arizona

Docket No. 150-00030
General License, 10 CFR 150.20
EA 92-216

During an NRC inspection conducted on October 28, 1992, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the Nuclear Regulatory Commission proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

I. Violation Assessed a Civil Penalty

10 CFR 34.33(a) requires, in part, that: (1) a licensee not permit any individual to act as a radiographer or a radiographer's assistant unless, at all times during radiographic operations, the individual wears a direct reading pocket dosimeter, an alarm ratemeter, and either a film badge or a thermoluminescent dosimeter (TLD); and (2) pocket dosimeters be recharged at the start of each shift.

Contrary to the above, on October 28, 1992, two radiographers employed by Western Technologies, Inc. (Licensee), did not wear alarm ratemeters while conducting radiographic operations at the White Sands Missile Range, New Mexico, and did not recharge their direct reading pocket dosimeters at the start of the shift.

This is a Severity Level II violation (Supplement VI).
Civil Penalty - \$8,000.

II. Violations Not Assessed a Civil Penalty

A. 10 CFR 71.5(a) requires, in part, that a licensee who transports licensed material outside of the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.


49 CFR 177.817(a) requires that a carrier not transport a hazardous material unless it is accompanied by a shipping paper prepared in accordance with 49 CFR 172.200-203. Pursuant to

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The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Sincerely,


James L. Milhoan
Regional Administrator

Enclosures:

1. Notice of Violation and Proposed Imposition of Civil Penalty
2. List of Enforcement Conference attendees

cc w/ enclosures:

State of New Mexico Radiation Control Program Director
State of Arizona Radiation Control Program Director