

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Midwest Industrial X-Ray, Inc. (EA 92-091)  
Fargo, North Dakota  
Docket No. 15000033

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$8,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$8,000 will be issued on or about September 1, 1992 to Midwest Industrial X-Ray, Inc., Fargo, North Dakota. This action is based on NRC's inspection and investigative findings which found the licensee in violation of the following requirements applicable to its work in non-Agreement States: 1) failure of radiography personnel to wear alarm ratemeters; 2) exceeding 180 days in NRC jurisdiction; and 3) failure to conduct complete surveys. In view of the willfulness associated with the failure to wear alarm ratemeters, the violation was categorized at Severity Level II. The base civil penalty for Severity Level II is \$8,000. The civil penalty adjustment factors were considered but no further adjustments were appropriate. The remaining violations were classified at Severity Level IV and not assessed a civil penalty.

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 September 1, 1992  
Telephone Notification of Licensee September 1, 1992

The States of North Dakota, Iowa, and Nebraska 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.

Contact: P. Santiago, OE, 504-3055 J. Lieberman, OE, 504-2741

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