

U.S. NUCLEAR REGULATORY COMMISSION
REGION I

Report No. 030-20644/96-003
Docket No. 030-20644
License No. 37-21428-01
Individual: James L. Mulkey
Licensee: Power Inspection, Inc.
P.O. Box 186
12330 Perry Highway
Wexford, Pennsylvania 15090
Facility Name: Power Inspection, Inc.
Conference At: US Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406
Conference Conducted: October 2, 1996

Inspector: Duncan White 12/12/96
Duncan White, Senior Health Physicist date

Approved By: Jenny M. Johansen 12/12/96
Jenny M. Johansen, Chief date
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

Predecisional Enforcement Conference Summary: Closed predecisional enforcement conference conducted on October 2, 1996 (Report No. 030-20644/96-003) to discuss the apparent violations identified during the December 2 and 3, 1993 inspection and the subsequent investigation by the Office of Investigation. The conference discussed the apparent violations and their root causes. The conference was transcribed.

DETAILS

1. Persons Attending

James L. Mulkey, former Radiation Safety Officer, Power Inspection Inc. (PI)
(present via telephone)

NRC Attendees

Charles W. Hehl, Director, Division of Nuclear Materials Safety (DNMS)
John McGrath, Acting Chief, Nuclear Material Safety Branch (NMSB) 3, DNMS
Duncan White, Senior Health Physicist, NMSB 3, DNMS
Richard Ladun, Health Physicist, NMSB 3, DNMS
Judith A. Joustra, Senior Enforcement Specialist
Diane Flack, Office of Nuclear Materials Safety and Safeguards
(present via telephone)

2. Predecisional Enforcement Conference Summary

The conference opened with the participants being introduced. Mr. Hehl stated the purpose of the conference and acknowledged Mr. Mulkey's letter received on September 9, 1996. Mr. McGrath reviewed the apparent violations concerning falsifying qualification certificates and examinations for PI employees who performed radiography and eddy testing examinations at nuclear power plants. In particular, Mr. Mulkey was asked about the certification of one particular PI employee, Mr. Stewart. Mr. Mulkey stated that he did not falsify qualification certificates and did not give an eddy current examination to Mr. Stewart. In addition, Mr. Mulkey was not aware that PI had sent Mr. Stewart to a power plant to perform eddy current tests.

Mr. Mulkey stated that he worked in the PI's Wexford office from 1989 to December 1992. After that time, he worked in PI's Florida office. Mr. McGrath asked Mr. Mulkey if he performed RSO duties for licensed activities under PI's NRC license. Mr. Mulkey stated that he made a business trip to the Wexford office in September 1993, but he had not performed the duties of RSO since leaving the Wexford office in December 1992. It was Mr. Mulkey's understanding that PI would have changed the RSO on the license and the responsibilities shifted to another individual after he left. Mr. Mulkey indicated that a year before he left the Wexford office, Mr. Krizmanich was hired to serve as the assistant RSO.

Mr. McGrath asked Mr. Mulkey about PI's July 14, 1993 letter to the NRC which responded to several items of noncompliance identified during an April 1993 inspection. Mr. Mulkey stated that he wrote the response letter on behalf of the company and believed that the commitments made in the letter were true to the best of his knowledge. According to Mr. Mulkey, the commitment made in the letter to perform the audits of radiographers on a monthly basis came from the Wexford office, probably Mr. Anderson. In response to Mr. Ladun's inquiry about radiographers working out of either the Florida or the Wexford offices, Mr. Mulkey indicated that he only audited those radiographers who worked under PI's Florida license.

Ms. Joustra discussed the NRC's enforcement options.

Mr. Hehl thanked Mr. Mulkey for his participation in the conference and closed the meeting.