

U.S. NUCLEAR REGULATORY COMMISSION
REGION I

Report No. 030-20644/96-001
Docket No. 030-20644
License No. 37-21428-01
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 18, 1996

Inspector:

Duncan White
Duncan White, Senior Health Physicist

12/6/96
date

Approved By:

Jenny M. Johansen
Jenny M. Johansen, Chief
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

12/9/96
date

Predecisional Enforcement Conference Summary: Closed predecisional enforcement conference conducted on October 18, 1996 (Report No. 030-20644/96-001) 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.

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DETAILS

1. Persons Attending

Licensee Attendees

Krishna Kumar, former President
William F. Manifesto, Counsel

NRC Attendees

Charles W. Hehl, Director, Division of Nuclear Materials Safety (DNMS)
Duncan White, Acting Chief, Nuclear Material Safety Branch (NMSB) 3, DNMS
John McGrath, Senior Health Physicist, NMSB 3, DNMS
Richard Ladun, Health Physicist, NMSB 3, DNMS
Judith A. Joustra, Senior Enforcement Specialist, Region I
Nader Mamish, Enforcement Specialist, Office of Enforcement
Dennis Serig, Division of Industrial & Medical Nuclear Safety, Office of Nuclear
Materials Safety and Safeguards (by telephone)

2. Predecisional Enforcement Conference Summary

The conference opened with the participants introducing themselves. Mr. Hehl stated the purpose of the conference. Mr. White reviewed the apparent violations identified during the December 1993 inspection. The former President of Power Inspection (PI) indicated that the responsibility for implementing the radiation safety program was with the Radiation Safety Officer (RSO). He further stated that he assumed that the RSO was performing those activities required by the regulations and their license. The former President did acknowledge that he had responsibility for not submitting film badges for processing during the January to April 1993 period. He also stated that he performed audits of radiographic personnel, but did not record the audits. It was the former President's understanding that the audits were performed and recorded by the RSO.

Mr. McGrath reviewed the apparent violations concerning: 1) the falsification of qualification certificates for PI employees who performed radiography and eddy testing examinations at nuclear power plants; 2) the falsification of utilization logs; 3) the use of illegal drugs by PI employees prior to and during the performance of work at nuclear power plants; 4) making false statements in a PI letter dated July 14, 1993 to the NRC; and 5) knowingly failed to notify the NRC concerning a change in the RSO. The former President denied that he knowingly made false statements or directed the falsification of records. Counsel for the former President indicated that the former President did not have access to company records which were impounded in December 1993 by the Department of Justice and therefore, was not in the position to admit or deny any specifics of the apparent violations.

The former President stated that he was no longer associated with PI since 1994 and that the assets of PI are currently controlled by Mr. Paul Chambers. PI was not a subsidiary of another company, but Mr. Chambers' company, PEC Engineering, lent PI money or purchased items needed by PI which PI would rent from PEC Engineering. The former President indicated that Mr. Chambers exercised a significant level of control in the company, particularly in the area of personnel and financial matters. PEC Engineering does not have a license with the NRC according to the former President.

The former President and his Counsel discussed the circumstances regarding the former President's guilty plea in 1986 to falsifying eddy current equipment calibration records. The former President noted he was careful after his guilty plea to comply with the regulations.

Ms. Joustra discussed the NRC's enforcement options and indicated that if PI or the former President wished to submit additional information, the NRC would consider it prior to taking enforcement action. At the request of the licensee, Mr. Hehl explained the process to withhold the enforcement proceedings from the public record.

Mr. Hehl thanked the licensee for participating in the conference and closed the meeting.