

DCD

December 18, 1996

EA 96-468

Jerry Lindsey
Vice President of Field Services
H. C. Nutting Company
4120 Airport Road
Cincinnati, OH 45226

SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCE SUMMARY

Dear Mr. Lindsey:

On December 9, 1996, representatives of the H. C. Nutting Company met with NRC personnel in the Region III office located in Lisle, Illinois, to discuss the apparent violation identified in the NRC Inspection Report No. 030-17304/96001(DNMS). The predecisional enforcement conference was held at the request of Region III and the attendance list is enclosed with this summary.

The licensee agreed with the facts detailed in the inspection report and did not contest the apparent violation. In addition, the licensee noted two errors contained in the Executive Summary of the inspection report described by the inspectors. The first error appears in the first paragraph. The references to the vehicle involved in a theft should be changed from "truck" to "sport utility vehicle." The second error, appearing in paragraph 2, stating that the licensee reported the damaged gauge incident on October 17, 1996, should be changed to October 15, 1996.

The licensee revised its 30 day report on the damaged gauge incident correcting the direction that the road grader turned when it ran over the gauge.

The licensee indicated that the apparent violation pertaining to the failure to control and maintain constant surveillance of licensed material was due to carelessness of the individual. The licensee described its corrective actions for this apparent violation. In summary, these corrective actions include: (1) an upgrade to the existing training program to include 8 hours of classroom training and 5-10 days of on-the-job training under the supervision of an experienced gauge user; (2) quarterly field audit performed on each gauge user by a party within the organization; and (3) disciplinary action against users for deficiencies found during audits.

The above corrective actions will be implemented and effective the week of December 16, 1996.

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J. Lindsey

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In accordance with 10 CFR 2.790 of the NRC's "Rule of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

Sincerely,

Original Signed by Roy J. Carliano

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

Docket No. 030-17304
License No. 34-18882-01

Enclosure: Attendance List

bcc w/encl: Office of Enforcement
J. Goldberg, OGC
D. Cool, NMSS
T. Simmons, RIII
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* See Previous Concurrence

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DATE	12/13/96		12/13/96		12/13/96	12/17/96

J. Lindsey

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In accordance with 10 CFR 2.790 of the NRC's "Rule of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

Sincerely,

Roy J. Caniano, Deputy Director
Division of Nuclear Materials Safety

Docket No. 030-17304
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DATE	12/13/96	12/13/96		12/13/96		12/13/96	

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ATTENDANCE LIST

H. C. Nutting Company

Jerry Lindsey, Vice President of Field Services
Walter Becker, Radiation Safety Officer

U.S. Nuclear Regulatory Commission - Region III

Roy J. Caniano, Deputy Director, Division of Nuclear Materials Safety
John R. Madera, Chief, Nuclear Materials Inspection Branch 1
Darrel G. Wiedeman, Senior Radiation Specialist
Deborah A. Piskura, Radiation Specialist
Toye L. Simmons, Enforcement Specialist