

DCS



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AUG 07 1985

Docket No. 30-20982
License No. 37-23370-01
EA 85-01

North American Inspection, Inc.
ATTN: Robert K. Shumway
President
P.O. Box 88
Laurys Station, Pennsylvania 18059

Gentlemen:

This refers to your letters dated February 21, 26, and April 10, 1985, in response to the Notice of Violation and Proposed Imposition of Civil Penalties sent to you with our letter dated February 6, 1985. In your letters you (1) deny some of the violations and admit others; (2) request reduction of the severity level of the violations; and (3) request that the civil penalties be withdrawn, claiming that the imposition of the civil penalties will place a severe financial burden on the company.

After carefully considering your response, we have concluded for the reasons provided in the evaluations and conclusions set forth in the enclosed Appendix, that the violations did occur as stated and collectively represent a breakdown in management control of your radiation safety program. Further, after review of your financial statement submitted with your April 10 letter, the NRC is not convinced that your company lacks the resources to pay the proposed civil penalties. Accordingly, we have decided to impose the proposed civil penalties.

In your February 26, 1985 letter, you state that you have no authority to legislate behavior on behalf of your employees to comply with your Radiation Safety Program and/or the rules and regulations of the NRC. However, the NRC Enforcement Policy clearly states that licensees are responsible for the acts of their employees. Therefore, you must establish management controls and surveillance to ensure that your employees comply with the radiation safety program and all requirements of NRC regulations and license conditions. Failure of you or your employees to adhere to the conditions of your license may lead to future escalated enforcement action.

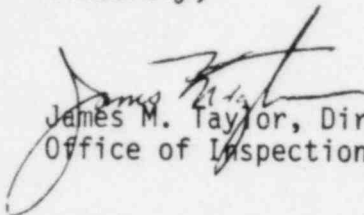
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

8508120673 850807
NMSS LIC30
37-23370-01 PDR

North American Inspection, Inc. - 2 -

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosed Order will be placed in the Public Document Room.

Sincerely,


James M. Taylor, Director
Office of Inspection and Enforcement

Enclosures:

1. Order Imposing Civil Monetary Penalties
2. Appendix - Evaluation and Conclusion

cc w/encls:

Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Pennsylvania

bcc:
 Region I Docket Room (w/concurrences)
 Senior Operations Officer (w/o encls)
 SECY
 CA
 J. M. Taylor, IE
 R. Vollmer, IE
 J. Collins, IE
 J. Axelrad, IE
 E. Flack, IE
 L. Cobb, IE
 J. Lieberman, ELD
 V. Stello, DEDROGR
 Enforcement Coordinators
 RI, RII, RIII, RIV, RV
 F. Ingram, PA
 J. Crooks, AEOD
 B. Hayes, OI
 S. Connelly, OIA
 V. Miller, NMSS
 D. Nussbaumer, OSP
 A. Puglise, RM
 IE/ES File
 IE/EA File
 EDO Rdg File
 DCS
 PDR
 NSIC

for *HRK*
 IE:ES
 EFlack
 7/25/85
Telephone
 RI *D. Halady*
 TMurley
 7/30/85
Luberman
 ELD
 JLieberman
 7/23/85

ES:0
 JAAxelrad
 7/23/85

per note
 IE:DD
 RVollmer
 7/31/85
 IE:0
 JMTaylor
 8/1/85
 7/31
 #2c
 1/30