



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

January 31, 1997

EA 96-446

Mr. Rohn D. Abbott
Senior Vice President
Shannon & Wilson, Inc.
P.O. Box 70843
Fairbanks, Alaska 99707

SUBJECT: NOTICE OF VIOLATION
(NRC Inspection Report 030-20360/96-01)

Dear Mr. Abbott:

This refers to your January 8, 1997 letter in response to the apparent violations identified in NRC Inspection Report 030-20360/96-01, issued on December 13, 1996. As indicated in the letter transmitting the inspection report, the NRC was considering escalated enforcement action for two apparent violations involving an excessive radiation exposure to an employee whose assigned duties did not include handling radioactive materials. You were given a choice of requesting a predecisional enforcement conference or submitting a written response to the apparent violations. You chose to submit a written response.

In your written response, you did not dispute the apparent violations and attributed the exposure of this employee to an office reorganization and the removal of some material from a gauge storage room that had apparently provided shielding to workers in the adjacent office areas. You also explained that you took immediate action during the NRC's inspection to relocate gauges in the storage room and to install additional shielding. Since the inspection, you stated that you have taken steps to reduce the number of gauges in storage, conducted a thorough survey with a newly calibrated radiation survey instrument, and committed to conducting a new survey if changes to the office area or gauge storage room occur.

Based on the information developed during the inspection, and the information that you provided in your response to the inspection report, the NRC has determined that violations of NRC requirements occurred. These violations are cited in the enclosed Notice of Violation (Notice); the circumstances surrounding them were described in detail in the subject inspection report. The violations include the failure to limit the dose to this employee, who is considered a member of the general public, to 0.1 rem total effective dose equivalent for 1996 and the failure to perform surveys to demonstrate compliance with this dose limit.

Although the radiation exposure received by this employee is not significant from a health and safety standpoint, the NRC considers any exposure in excess of regulatory limits a matter of regulatory significance. The NRC expects licensees to conduct their operations in a manner that precludes such

exposures from exceeding the limits established in 10 CFR Part 20. Therefore, these violations are classified in the aggregate in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600 as a Severity Level III problem.

In accordance with the Enforcement Policy, a civil penalty with a base value of \$2,500 is considered for a Severity Level III problem. Because your facility has not been the subject of escalated enforcement actions within the last 2 years or 2 inspections, the NRC considered whether credit was warranted for Corrective Action in accordance with the civil penalty assessment process in Section VI.B.2 of the Enforcement Policy. Based on our review of the corrective actions you took during and after the inspection, we have determined that you are deserving of credit.

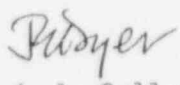
Therefore, to encourage prompt and comprehensive correction of violations, and in recognition of the absence of previous escalated enforcement action, I have been authorized after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, you are on notice that significant violations in the future could result in a civil penalty. In addition, issuance of this Severity Level III problem constitutes escalated enforcement action, that may subject you to increased inspection effort.

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in Inspection Report No. 030-20350/96-01, and your letter dated January 8, 1997. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In your January 8 letter, you also responded to a Notice of Violation enclosed with the December 13, 1996 inspection report. We have reviewed your response and find it acceptable. We will review your corrective actions during future inspections.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and any response you choose to submit will be placed in the NRC Public Document Room (PDR).

Sincerely,


for L.J. Callan
Regional Administrator

Docket No. 030-20360
License No. 50-23204-01

Enclosure: Notice of Violation

cc w/enclosure:
State of Alaska

Shannon & Wilson, Inc.

bcc w/enclosure:

PDR

SECY

CA

EDO (O-17G21)

EJordan DED (O-17G21)

JLieberman, OE (O-7H5)

LChandler, OGC (O-15B18)

JGoldberg, OGC (O-15B18)

CPaperiello, NMSS (T-8A23)

OE:EA (2) (O-7H5)

LTremper, OC/LFDCB (T-9E10)

NUDOCS

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1207
14

Enforcement Coordinators RI, RII, RIII

JGilliland, OPA (O-2G4)

PLohaus, OSP (O-3D23)

HBell, OIG (T-5D28)

GCaputo, OI (O-3E4)

DCool, NMSS (T-8F5)

OE:ES (O-7H5)

E-mail to:

OEMAIL

SJCollins(SJC1)

BHenderson(BWH)

DKunihiro (DMK1)

WBrown(WLB)

LWilliamson(ELW1)

CCain(CLC)

BSpitzberg(DBS)

MHammond(MFH2)

CHackney(CAH)

RScarano(RAS1)

LHowell(LIH)

FWenslawski(FAW)

EGarcia (EMG)

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MIS Coordinator

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