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February 7, 1997

Mr. Steven Barnes
Radiation Safety Officer
Desert Industrial X-Ray, Inc.
P. O. Box 1421
3225 Industrial Drive
Hobbs, New Mexico 88241

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT NO. 150-
00030/96006(DNMS) AND INVESTIGATION REPORT NO. 4-96-036)

Dear Mr. Barnes:

This refers to the inspection conducted by Mr. R. Hays of this office on May 21, 1996, at a temporary jobsite located along State Highway 72 in Missouri. The purpose of the inspection was to determine whether activities conducted in association with the NRC reciprocity provisions of 10 CFR 150.20 were conducted in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with you and those members of your staff identified in the enclosed report.

The inspection was an examination of activities conducted under your license as they relate to radiation safety and to compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

This also refers to an investigation conducted by the NRC Office of Investigations (OI) to determine if your radiographer deliberately violated NRC requirements pertaining to use of an out of calibration alarming ratemeter. A synopsis of the results of the investigation is enclosed.

Based on the results of this inspection and the investigation, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response, will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

Original Signed by Roy J. Caniano

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

License No. New Mexico IR062-09
Docket No. 150-00030

Enclosures: 1. Notice of Violation
2. Inspection Report
No. 150-00030/96006(DNMS)
3. OI Synopsis

bcc w/encls: PUBLIC
B. Clayton, EICS, RII
L. Howell, RIV
J. Montgomery, WCFO

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OFFICE	DNMS/RIII	E	DNMS/RIII	E	DNMS/RIII		E		
NAME	RHAYS:jaw/dp		MPHILLIPS		CPEDERSON		Roy J. Caniano		
DATE	02/6/97		02/6/97		02/7/97		2/7/97		

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