

ENCLOSURE

NOTICE OF VIOLATION

Western Industrial X-Ray Inspection
Company, Inc.

Docket: 030-32190

Evanston, Wyoming

License: 49-27356-01

During an NRC review of Western Industrial X-Ray Inspection Company, Inc.'s (WIX), compliance with the Final Initial Order, Attachment A, "Stipulation for Settlement of Proceedings" issued by an NRC Atomic Safety and Licensing Board on November 16, 1995, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (NUREG-1600), the violation is listed below:

The NRC Atomic Safety and Licensing Board "Final Initial Order", dated November 16, 1995 on the cover page, requires in item 5 of Attachment A, "Stipulation For Settlement of Proceedings" that WIX retain the services of an outside independent auditor to perform an initial radiation safety program audit at about 3 months, and no later than 6 months, following the resumption by WIX of NRC-licensed activities. Additionally, the Order requires that WIX provide the NRC a written response to the findings of audits specified under the Order within 30 days after WIX received a report of each program audit.

Contrary to the above, WIX resumed license activities on December 22, 1995, and an audit of WIX's radiation safety program was not performed until August 13, 1996, a period in excess of 6 months. Further, as of October 25, 1996, the NRC had not received from WIX a written response to the initial audit.

This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Western Industrial X-Ray Inspection Company, Inc., is required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR and provide the legal basis to support your request for withholding the information from the public.

Dated at Arlington, Texas
this 15th day of November 1996

Mr. John C. Phillips, Esq.

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