



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

DEC 5 1985

Docket No. 30-10972
License No. 35-16191-01
EA 85-125

Exam Company
ATTN: E. Eaves, President
115 West 41st Street
Tulsa, Oklahoma 74107

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTIES
(NRC INSPECTION REPORT NO. 30-10972/85-02 and 30-10972/85-03)

This refers to a special, unannounced inspection conducted on October 3, 1985, and October 8, 1985, at your field site at La Barge, Wyoming and your office in Tulsa, Oklahoma. The inspection was conducted to review the circumstances associated with the exposure of two individuals to radiation in an amount in excess of regulatory limits. Violations identified during the inspection by Mr. L. T. Ricketson were discussed with you and members of your staff at the conclusion of the inspection. This also refers to the Enforcement Conference held in the Region IV Office on October 25, 1985, with you and Mr. Bruce Acton and members of the Region IV staff to discuss the violations identified during the inspection.

The violations, which occurred on September 26, 1985, are described in the enclosed Notice. The violations included failure to perform surveys after each radiographic exposure and failure to follow operating and emergency procedures. As a result of these failures, two radiographer's assistants received whole body doses of 3.26 and 4.50 rems. The violations are of significant concern because they collectively indicate that adequate oversight and control of the radiological safety program was not exercised during radiography operations. In addition, the violations demonstrate the need for improvements in management control over activities to assure adherence to NRC requirements, and safe performance of licensed activities.

To emphasize the importance of compliance with NRC requirements during radiography operations, I have been authorized, after consultation with the Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties in the amount of Five Thousand Dollars (\$5,000). In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985) (Enforcement Policy), the violations described in the enclosed Notice have been categorized as a Severity Level III problem.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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DESIGNATED ORIGINAL

Certified By J. Carlson

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DEC 5 1985


The base value of a civil penalty for a Severity Level III violation is \$5,000. The escalation and mitigation factors in the Enforcement Policy were considered and no adjustment was deemed appropriate.

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 take to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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 its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,


for Robert D. Martin
Regional Administrator

Enclosure:
Notice of Violation and
Proposed Imposition of
Civil Penalties

cc:
Wyoming Radiation Control Program Director
Oklahoma Radiation Control Program Director