

health and safety of the public, including the Licensee's employees, will be protected. Therefore, the public, health, and safety and interest require that the License be modified as described below in Section IV. Furthermore, pursuant to 10 CFR 2.202, I find that the significance of the violations described above is such that the public health, safety and interest require that this Order be immediately effective.

IV

Accordingly, pursuant to sections 81, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR parts 30 and 34, it is hereby ordered, effective immediately, that license no. 45-17151-01 is modified as follows:

A. The Licensee shall retain and maintain the services of an RSO approved by Region II to oversee the activities of its radiographers based at the Lorton, Virginia, facility. The RSO duties must take priority over any other duty. The Licensee shall within 30 days submit the name and qualifications of the Lorton RSO for approval to the Regional Administrator, Region II.

B. The Licensee shall retain the services of an independent individual or organization (consultant) to perform an initial assessment of the Licensee's radiation safety program in Lorton, Virginia, and quarterly audits thereafter for a period of one year to determine compliance with all NRC requirements. The consultant shall also provide recommendations for program improvements to ensure effective management oversight and control of radiography operations. Within 30 days of the date of this Order, the Licensee shall submit to the Regional Administrator, NRC Region II, for review and approval, the name and qualifications of the consultant it proposes to conduct the assessment and audits. The consultant shall be independent of the Licensee's staff and have experience in the management and implementation of a radiation safety program, including activities similar to those authorized by the Licensee.

C. Within 60 days of the date of NRC approval of the consultant selection, as described above, the Licensee shall have the consultant submit its assessment report to the Licensee and to the Regional Administrator, NRC Region II. Within 30 days of the end of each quarterly audit period, the Licensee shall have the consultant submit its audit report and any recommendations for improvements to the Licensee and to the Regional Administrator, NRC Region

II. The assessment and audits of the Licensee's radiography program shall include, but not be limited to:

1. A review of the adequacy of the Licensee's management control and oversight in ensuring that radiographer and equipment requirements, personnel monitoring requirements, radiation safety procedures in radiographic operations, and other NRC requirements are followed including:

(a) The Licensee's program for training, retraining, and qualifying all individuals involved in using, supervising, inspecting, and auditing activities involving NRC-licensed material;

(b) The scope, methods, and frequency of the Licensee's program of surveillance and audits to determine compliance by individual users of NRC-licensed materials with NRC requirements, the conditions of the Licensee, and the Licensee's own procedures for the safe use of radioactive materials;

(c) The RSO's functions and oversight activities, including the methods of monitoring the radiation of safety program to ensure that problems or violations are promptly identified and corrected; and

(d) The Licensee's radiation safety program for developing and implementing operating and emergency procedures for the safe use of NRC-licensed material, and record keeping and documentation.

2. On-site reviews at the Licensee's Lorton, Virginia, office of activities and records maintained for users, and interviews and observations of selected authorized users working at various locations.

3. Direct observation during each quarterly audit of, at a minimum, one radiographer employed at the Lorton, Virginia, office performing industrial radiography activities with NRC-licensed material. The audits should ensure that all radiographers at the Lorton, Virginia, office are observed within the year.

D. Within 30 days of the date of the initial assessment report and of each quarterly audit report, the Licensee shall submit to the Regional Administrator, NRC Region II, the Licensee's response to the report either describing the implementation of each of the necessary corrective actions or recommendations from the audit report, or justification for not needing any corrective action or for not adopting one or more of the specific recommendations. Each Licensee response shall include a status report on action items completed or to be completed with appropriate priorities

assigned and any schedules for, or dates of, completion of each specific item.

E. The Licensee shall ensure that the work of the radiographer involved in the November 14, 1994 violations, as a radiographer using NRC-licensed material, is audited by the independent consultant within 30 days of the radiographer's return to unsupervised work and quarterly thereafter for one year. All audits shall include direct observation of the radiographer performing industrial radiography with NRC-licensed material.

F. For a period of one year from the date of this Order, the Licensee shall notify NRC Region II, by 9:00 a.m. (Eastern Time) Monday (or Tuesday, if Monday is a federal Holiday) of each week, of the location in non-Agreement states where the radiographer involved in the November 15, 1994 violations will be conducting radiography operations. This notification shall include the date, time, and specific location where radiography is planned to allow NRC to conduct an unannounced inspection. If unplanned work arises after the Monday notification, the new work can be performed by the involved radiographer in a non-Agreement state provided that the NRC has been given prior notice. Notification shall be made by telephone to Mr. Douglas M. Collins, Chief, Nuclear Materials Safety and Safeguards Branch, or his designated representative, at (404) 331-5586 or by facsimile at (404) 331-5559.

The Regional Administrator, Region II, may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause.

V

In accordance with 10 CFR 2.202, the Licensee must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within 20 days of the date of this Order. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically admit or deny each allegation or charge made in this Order and set forth the matters of fact and law on which the Licensee or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Docketing and Services Section, Washington, D.C. 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory