



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
1600 EAST LAMAR BOULEVARD  
ARLINGTON, TEXAS 76011-4511

March 14, 2022

EA-21-145

Mr. Tony Martin, President/  
Radiation Safety Officer  
Northwest Inspection, Inc.  
615 North Kellogg Street  
Kennewick, WA 99336

SUBJECT: NOTICE OF VIOLATION, NRC INSPECTION REPORT 150-00046/2021-001

Dear Mr. Martin:

This letter refers to our unannounced inspection conducted on July 15, 2021, at a temporary jobsite location in Athol, Idaho, with continued in-office review through December 6, 2021. The purpose of the inspection was to examine activities conducted under a general license pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 150.20 for your activities performed in an area of exclusive Federal jurisdiction, as they relate to public health and safety and to confirm compliance with the U.S. Nuclear Regulatory Commission (NRC) rules and regulations. A final exit briefing was conducted telephonically with you on December 6, 2021. Details of the inspection and one apparent violation were provided to you in the subject inspection report, dated January 7, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22006A254).

In the letter transmitting the inspection report, we provided you with the opportunity to address the apparent violation by either attending a predecisional enforcement conference or providing a written response before we made our final enforcement decision. In a letter dated January 17, 2022 (ADAMS Accession No. ML22038A967), you provided a written response to the apparent violation.

Based on the information developed during the inspection and the information you provided in your written response to the inspection report, the NRC has determined that a violation of NRC requirements occurred. This violation is cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding it are described in detail in the subject inspection report. The violation involved the failure of a radiographer's assistant to wear a personnel dosimeter while performing radiographic operations in NRC jurisdiction.

The NRC considers this violation to be significant because of the potential for radiological exposure in excess of regulatory limits. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. The Enforcement Policy can be found on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$16,000 is considered for a Severity Level III violation. Because your facility has not been the subject of an escalated enforcement action within the last two routine inspections, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the NRC Enforcement Policy. The NRC has determined that *Corrective Action* credit is warranted based on the prompt and comprehensive corrective actions you implemented. Your corrective actions to address the violation are documented in your letter dated January 17, 2022, and in NRC Inspection Report 150-00046/2021-001.

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, significant violations in the future could result in a civil penalty. In addition, issuance of this Severity Level III violation constitutes escalated enforcement action that may subject you to increased inspection effort.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 150-00046/2021-001 and in your letter dated January 17, 2022. 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 accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter, the enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction. The NRC also includes significant enforcement actions on its website at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

If you have any questions concerning this matter, please contact Dr. Lizette Roldán-Otero of my staff, at 817-200-1455.

Sincerely,



Signed by Morris, Scott  
on 03/14/22

Scott A. Morris  
Regional Administrator

Docket No. 150-00046  
License No. General License  
pursuant to 10 CFR 150.20

Enclosure:  
Notice of Violation

cc w/ enclosure:

Mark Dietrich, PE, State Liaison Officer  
Idaho Department of Environmental Quality  
1410 N. Hilton St.  
Boise, ID 83706

Jill Dinehart Wood, Director  
Office of Radiation Protection  
Washington Department of Health  
P.O. Box 47827  
Olympia, WA 98504-7827

SUBJECT: NOTICE OF VIOLATION, NRC INSPECTION REPORT 150-00046/2021-001 - DATED MARCH 14, 2022

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Document: [https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES S Drive/ENFORCEMENT/\\_EA CASES - OPEN/Northwest Insp EA-21-145/Final Action/NOV\\_EA-21-145 Northwest rev 1.docx](https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES%20S%20Drive/ENFORCEMENT/_EA%20CASES%20OPEN/Northwest%20Insp%20EA-21-145/Final%20Action/NOV_EA-21-145%20Northwest%20rev%201.docx)  
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## NOTICE OF VIOLATION

Northwest Inspections, Inc.  
Kennewick, WA

Docket No. 150-00046  
License No. General License  
EA-21-145

During an NRC inspection and in-office review conducted from July 15 to December 6, 2021, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 34.47(a) requires, in part, that the licensee may not permit any individual to act as a radiographer or radiographer's assistant unless, at all times during radiographic operations, each individual wears, on the trunk of the body, a direct reading dosimeter, an alarming ratemeter, and a personnel dosimeter.

Contrary to the above, on July 15, 2021, a radiographer's assistant performed radiographic operations and failed to wear, on the trunk of the body, a direct reading dosimeter, an alarming ratemeter, and a personnel dosimeter. Specifically, a radiographer's assistant was performing radiographic operations in NRC jurisdiction and failed to wear a personnel dosimeter.

This is a Severity Level III violation (NRC Enforcement Policy Section 6.3.c.4.b).

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 150-00046/2021-001 and in your letter dated January 17, 2022.

However, if the description therein does not accurately reflect your position or your corrective actions, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 within 30 days of the date of the letter transmitting this Notice of Violation. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation; EA-21-145," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 1600 East Lamar Blvd., Arlington, Texas 76011-4511, and email it to [R4Enforcement@nrc.gov](mailto:R4Enforcement@nrc.gov).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction.

If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you

Enclosure

request that such material is withheld from public disclosure, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

Dated this 14th day of March 2022