

January 3, 2012  
EN-12-001

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Individual: Mr. Francis Guilbeau, Radiographer, Accurate NDE (IA-11-032)

Subject: INDIVIDUAL ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED  
ACTIVITIES

This is to inform the Commission that an Order prohibiting Mr. Francis Guilbeau, a radiographer, from working in NRC jurisdiction for a period of 1 year will be issued on or about January 5, 2012. The order will commence 30 days from the date on the order, unless a hearing, extension, or NRC Alternate Dispute Resolution is granted. Specifically, Mr. Guilbeau will be prohibited from engaging in NRC-licensed activities, including performing, supervising, assisting, or otherwise engaging in industrial radiography or in activities of any kind that are licensed by the NRC and in NRC jurisdiction. Further, the order requires Mr. Guilbeau to notify the NRC of his involvement in NRC licensed activities for a period of 1 year following the prohibition period. Previously, a predecisional enforcement conference was held with Mr. Guilbeau on August 25, 2011, in an effort to obtain Mr. Guilbeau's point of view on the violations.

This enforcement action is a result of Mr. Guilbeau's actions while working under reciprocity in NRC jurisdiction and employed by Accurate NDE, a State of Louisiana radiography licensee. Both the NRC inspection into the loss of a radiography source by Accurate NDE and Mr. Guilbeau, as well as the subsequent NRC investigation, identified apparent violations of NRC requirements for which NRC issued a confirmatory order to Accurate NDE and is issuing this order to Mr. Guilbeau. Specifically, as described in the order, Mr. Guilbeau engaged in deliberate misconduct in violation of 10 CFR 30.10(a)(1) by causing Accurate NDE to be in violation of 10 CFR 150.20(b)(5) that requires Accurate NDE to comply with the terms of its State license which specifies that the radiographer, Mr. Guilbeau was to contact the licensee Radiation Safety Office (RSO) and receive authorization prior to attempting retrieval of a radiation source. However, Mr. Guilbeau did not contact the RSO or receive authorization prior to attempting to retrieve a disconnected radiography source. Additionally, Mr. Guilbeau engaged in deliberate misconduct in violation of 10 CFR 30.10(a)(2) by deliberately submitting to Accurate NDE, an NRC general licensee, information that he knew was inaccurate in some material respect. Specifically, Mr. Guilbeau recorded a number from the Daily Radiation Report for a pocket dosimeter reading associated with work performed by another radiographer that Mr. Guilbeau knew was inaccurate, causing Accurate NDE to be in violation of 30.9(a) related to inaccuracy of its records required pursuant to 10 CFR 34.83 and 34.47(b).

Mr. Guilbeau will be informed of the issuance of the Order on or about the following dates:

Mailing of Notice	January 5, 2012
Telephone Notification of Licensee	January 5, 2012

The State of Louisiana will be notified on or about the same date.

CONTACTS: Susanne Woods, OE, (30) 415-2740                      Aida Rivera, OE, (301) 415-4001

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