



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

April 21, 2005

Docket Nos. 03036462
03036902
Control Nos. 136712
136713

License Nos. 31-30653-02
29-31032-01

V. Reddy Kancharla
President/CEO
Testwell Laboratories, Inc.
47 Hudson Street
Ossining, NY 10562

SUBJECT: TESTWELL LABORATORIES, INC., REQUEST FOR ADDITIONAL
INFORMATION CONCERNING APPLICATION FOR NEW LICENSE,
CONTROL NOS. 136712 AND 136713

Dear Mr. Kancharla:

This is in reference to your letter dated March 29, 2005 requesting a change of company name and address and review of your revised Operating and Emergency Procedures. In order to continue our review, we need the following additional information:

1. Describe your proposed storage location at 1601 Lower Road, Linden, New Jersey and submit a diagram of the storage location showing where licensed material will be stored.
2. Section A of your Operating and Emergency Procedures is incomplete. Please provide the following information:
 - A. Item 1 on page 6 states that the Radiation Safety Officer (RSO) or designated representative shall conduct field surveys on every radiographer at intervals not to exceed six months. Please confirm that an inspection of the job performance of each radiographer's assistant will also be performed at intervals not to exceed six months.
 - B. Item 3 on page 6 states that the Radiation Safety Officer (RSO) or Assistant RSO (ARSO) shall conduct an informal periodic re-instruction with each Radiographer on an approximate annual basis or whenever deemed necessary by the RSO. 10 CFR 34.43(d) requires that licensees provide annual refresher safety training for each radiographer and assistant radiographer at intervals not to exceed 12 months. Please confirm that you will meet the requirements of 10 CFR 34.43(d) for annual refresher safety training.
 - C. Item 3 on page 9 describes the qualifications of your RSO. Please confirm that future RSOs will meet the minimum qualifications, training and experience as described in 10 CFR 34.42.

- D. Page 15 contains a Field Radiography Internal Inspection Checklist, which appears to evaluate the job performance of radiographers. Please provide an example of a checklist used to evaluate the job performance of radiographer assistants.
 - E. Page 20 contains your operating instructions for use of alarm ratemeters. Please provide the steps to be performed during the operational test. In addition, provide the step-by-step instructions for individuals to perform when the ratemeter alarms, including evaluation of the individual(s) pocket dosimeter reading.
- 3. Section B of your Operating and Emergency Procedures Manual is incomplete. Please provide the following information:
 - A. Item B.4. on page 1 states to check the battery, operation and calibration of the survey meter. Please provide your instructions for checking the operability of your survey meters. Check sources or other appropriate means, including the exposure device, may be used to check survey meter operability.
 - B. Page 9 contains a pre-shift equipment inspection checklist. Please provide more specific instructions for the daily maintenance check of your radiographic equipment. Appendix O of NUREG-1556, Volume 2 (enclosed) contains example instructions for daily inspection of radiographic devices and equipment.
 - C. On page 13, Item 2, delete the phrase "or 100 mr in any 5 consecutive days". This is no longer a regulatory requirement. 10 CFR 20.1301 states, in part, that the dose for individual members of the public in any unrestricted area from external sources must not exceed 2 millirem in any one hour. In addition, the total effective dose equivalent to individual members of the public from licensed operations must not exceed 100 mrem in a year.
 - D. On page 21 restricted areas for radiography are described. Submit your procedures for surveillance of restricted areas at facilities with multiple levels and multiple access points or where members of the public are close to radiographic operations (e.g., boilers, commercial manufacturing plants, or power plants during outages). NUREG-1556, Volume 2, Section 8.10.9.3, Methods for Controlling Access to Radiographic Areas, contains information which may be helpful in preparing your response.
 - E. Item 4 on page 27 states that three-bar labels are required for containers with surface readings in excess of 50 mr/hr. 49 CFR 172.403 states, in part, that the proper label to affix to a package of Class 7 (radioactive) material is based on the radiation level at the surface of the package and the transport index. Please revise your procedures to include the requirement that a radioactive yellow-III label is required when the transport index is greater than 1 but less than 10 or the radiation level at any point on the external surface of the package is greater than 50 mrem/hr but less than or equal to 200 mrem/hr.

- F. Page 28 contains an example of a shipping paper. 49 CFR 172.201(d) requires that shipping papers contain an emergency response telephone number. Please revise your shipping papers to include this requirement.
- 4. Section E of your Operating and Emergency Procedures is incomplete. Please provide the following information:
 - A. Item 3.(d) on page 4 states to check non-monitored personnel and handle as described in Section H, pg. 3. This section describes the quality assurance program. Please provide the correct reference.
 - B. On page 8 emergency procedures for off-scale dosimeters and/or personnel overexposure are described. Please confirm that the affected individual(s) may not resume work with licensed material until the RSO or designee has determined the individual(s)'s radiation exposure. In addition, confirm that the film or TLD badge(s) will be sent for processing within 24 hours. Please submit your revised procedures for review.
 - 5. Section G, page 1 describes your inventory procedure for sealed sources. Please confirm that your quarterly inventory will include the name of the individual performing the inventory and the manufacturer's name, model number and serial number for each sealed source containing byproduct material and for each device containing depleted uranium or byproduct material.
 - 6. Section H of your Operating and Emergency Procedures Manual is incomplete. Please provide the following information:
 - A. On page 4 you describe your procedures for receiving radioactive material. This section states that a survey shall be performed within 3 hours of the time shipment arrived or within 18 hours if received after working hours. 10 CFR 20.1906 requires, in part, that packages be monitored for radioactive contamination as soon as possible after receipt of the package, but not later than 3 hours after the package is received during normal working hours or not later than 3 hours from the beginning of the next working day if it is received after working hours. Please confirm that your package receipt procedures will meet this requirement and revise your procedures to incorporate this requirement.
 - B. Item 2 on page 5 describes notification requirements for receipt of packages containing quantities of radioactive material in excess of Type A quantity limits. The regulations cited are no longer applicable. 10 CFR 20.1906 describes, in part, the procedures for opening and receiving packages in excess of a Type A quantity. In addition, 10 CFR 20.1906(d) describes the procedures for notifying the NRC and the final delivery carrier when removable radioactive contamination exceeds the limits of 10 CFR 71.87(i) or external radiation levels exceed the limits of 10 CFR 71.47. Please confirm that your package receipt procedures will meet these criteria and revise your procedures to incorporate these requirements.

7. Section J of your Operating and Emergency Procedures Manual is incomplete. Please provide the following information:
- A. Please confirm that all radiographers and radiographer's assistants will receive copies of and instruction in your NRC license and NRC regulations, including 10 CFR Part 34; 10 CFR 30.7, 30.9, and 30.10; applicable parts of 10 CFR Parts 19 and 20; 10 CFR Part 71; and applicable Department of Transportation regulations (49 CFR).
 - B. Describe the field (practical) examination that will be given to prospective radiographers and radiographer's assistants. The checklist in Appendix H of NUREG-1556, Volume 2 may be helpful in preparing your response.
 - C. Submit your procedures for verifying and documenting the certification status of experienced radiographers who have worked for another licensee. In addition, submit your procedures for verifying that their certification remains valid.
 - D. Please correct the following questions and/or answers in your Assistant Radiographer Examination provided:
 - 1. The answer key to Question 3 lists the correct answer as "E"; however, there is no answer identified as "E" for Question 3 on the exam. Please provide the correct answer to Question 3.
 - 2. The answer key to Question 4 lists the correct answer as "A", every 3 months. Your Operating and Emergency Procedures Manual states that survey meters should be calibrated every 180 days (6 months). Please provide the correct answer to Question 3.
 - 3. Questions 7-9 have 2 answers on the exam identified as "d)". Please correct the choices provided for answers to Questions 7-9.

Current NRC regulations and guidance are available at the NRC Web sites listed below or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control Nos. 136712, and 136713. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5371.

V. Kancharla
Testwell Laboratories, Inc.

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If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application.

Sincerely,

Original signed by Donna M. Janda

Donna M. Janda
Health Physicist
Security and Industrial Branch
Division of Nuclear Materials Safety

Enclosure: NUREG-1556, Volume 2

NRC Web site addresses:
NRC regulations

<http://www.nrc.gov/reading-rm/doc-collections/cfr/>

Licensing guidance

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>

General Policy and Procedure for NRC Enforcement Actions

<Http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf>

206 of the Energy Reorganization Act of 1974

<http://www.nrc.gov/who-we-are/governing-laws.html>

cc:
Robert F. Plumstead, Radiation Safety Officer

DOCUMENT NAME: E:\Filenet\ML051110161.wpd

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