

# MultiServ

Harsco



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June 29, 2005

Marc L. Dapas, Director  
Division of Nuclear Materials Safety  
United States Nuclear Regulatory Commission  
Region III  
2443 Warrenville Road, Suite 210  
Lisle, IL 60532-4352

**Re: Response to An Apparent Violation in Inspection Report 030-35120/2005-001  
(DNMS): EA-05-121  
License Number 37-26522-02**

Dear Mr. Dapas:

This letter is in response to Harsco Corporation, Heckett MultiServ Division's receipt of the above referenced Inspection Report as issued by the United States Nuclear Regulatory Commission (USNRC). The proposed enforcement action resulted from specific issues of apparent and potential regulatory non-compliance, as identified during a May 25, 2005 inspection at the East Chicago, IN facility.

Harsco Corporation, Heckett MultiServ Division management representatives, as well as a private health physics consulting company have reviewed each item of potential non-compliance and the documented response. The Harsco Corporation, Heckett MultiServ Division Response references the line items identified in the USNRC Inspection Report on pages 3-8.

Item #2      Failure to Appoint a Radiation Safety Officer

The USNRC Inspector determined that the Harsco Corporation, Heckett MultiServ Division Radiation Safety Officer was no longer employed at the East Chicago, IN facility. This situation was identified as an apparent violation of License Condition #11.

Harsco Corporation, Heckett MultiServ Division Response

Harsco Corporation, Heckett MultiServ Division has received Amendment #1 to USNRC License Number 37-26522-02, naming Glenn D. Hundertmark as Radiation Safety Officer (RSO). Mr. Hundertmark's training includes successful completion of a training course based upon the guidance provided in NUREG 1556, Volume 4, Appendix G.



Harsco Corporation, Heckett MultiServ Division management is aware of the USNRC rules for maintaining a Radiation Safety Officer to oversee the possession and use of licensed material. Any future plans for changes to the position of RSO, shall be conveyed to the NRC in a timely manner. The correspondence shall include the guidance provided in the NUREG 1556 documents.

Item #4      Potential Violation of License Condition # 21

The USNRC Inspector observed a potential violation of the licensee's Lock-out/Tag-out Procedure.

Harsco Corporation, Heckett MultiServ Division Response

Harsco Corporation, Heckett MultiServ Division management has instructed all individuals involved with the conveyor lines containing licensed devices to follow the current procedure for locking the device closed when not in use. In addition, the RSO shall be notified as necessary.

The contracted health physics consulting company representative has strongly recommended that Harsco Corporation, Heckett MultiServ Division submit a request for a license amendment. Included would be a revision of current restrictive commitments. The submittal would be based upon the NUREG 1556, Volume #4 guidance.

In order to ensure compliance with procedures and license conditions, the Harsco Corporation, Heckett MultiServ Division RSO or management representative shall arrange for training and/or re-training of authorized users at least triennially.

Item #5      Potential Violation of License Condition # 21

The USNRC Inspector observed a potential violation of the licensee's requirement to conspicuously post "Caution Radioactive Material" signs.

Harsco Corporation, Heckett MultiServ Division Response

Harsco Corporation, Heckett MultiServ Division management has replaced the previous signs as necessary and instructed all individuals involved with the conveyor lines containing licensed devices to maintain the signs legible.



Item #6      Potential Violation of License Condition # 15

The USNRC Inspector observed a potential violation of the licensee's requirement to conduct inventories of gauging devices every six months.

Harsco Corporation, Heckett MultiServ Division Response

The newly appointed Harsco Corporation, Heckett MultiServ Division Radiation Safety Officer has developed an inventory spreadsheet to document the information required in License Condition #15. The inventory shall be completed every six months and records maintained as required.

Item #7      Potential Violation of License Condition # 21

The USNRC Inspector observed a potential violation of the licensee's requirement to provide training to employees that frequent restricted areas. The training should include the Safe Operating Procedures for use of licensed devices.

Harsco Corporation, Heckett MultiServ Division Response

Harsco Corporation, Heckett MultiServ Division management hired a radiation safety consultant to present a training class for employees involved with working in close proximity to licensed devices. The 8-hour course was completed on June 23, 2005 and included the topics described in NUREG 1556, Volume 4, Appendix G. Records of successful completion shall be retained on file as required.

Should you have any questions or require additional information, please do not hesitate to contact me at (724)-741-6662.

Best regards,

Glenn D. Hundertmark  
Radiation Safety Officer

Cc:    Gene Iannazzo  
       Jim Budd  
       Art Hamilton  
       Jim Crago  
       Harry Boben

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