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INDEPENDENT CONTROL AND RESEARCH CHEMISTRY, INSTRUMENTAL AND CHEMICAL ANALYSIS • SAMPLING, WEIGHING, INTERNATIONAL SHIPPERS' REPRESENTATION

August 30, 2005

S'NM-296

2005 SEP - 2 PM 2:04

RECEIVED  
REGION I

United States Nuclear Regulatory Commission  
Region I  
George Pangburn, Director  
Division of Nuclear Materials Safety  
475 Allendale Road  
King of Prussia, PA 19406-1415

Re: Response to Apparent Violations in Inspection report No. 07000314/2005001; EA-05-135

Dear Mr. Pangburn:

After extensive interviews with all personnel who were involved with the shipment that led to Ledoux & Company contacting the NRC and hence the inspection referred to above, Ledoux & Company is still not certain that it ever did receive the sample that is in question. Based upon the procedures that were in place at that time, if the sample in question was enclosed in it's own container, about the size of a juice can, it is difficult for us to understand how such could have been overlooked. Whether or not we did or did not receive this sample may never be known, but we taken some additional steps, "corrective action", concerning this matter. Within two weeks of notifying the NRC of a shipment discrepancy, Ledoux & Company commenced with the enclosed corrective action no. 2005-001. A copy of this action was also sent to the customer, BWX Technologies, the shipper of the sample that has been apparently lost.

This matter is of utmost importance to our Nuclear Division, and to the owners and employees of Ledoux & Company. We have been extremely proud of the fact that we have been in continuous operation since 1880, under the ownership of the same family, and for many decades being of service to the nuclear industry.

Ledoux & Company


During the average operating week, Ledoux receives 3-4 shipments of licensed material. Within each shipping container there can be as few as one, to as many as 10 samples, sometimes more. To the best of our knowledge this is the first occurrence of any discrepancy concerning the receipt of licensed material samples. We recognize that the apparent loss of one sample is not an insignificant matter, and we are not trying to minimize such, but we thought that it is important to make you aware of the volume of samples that we do manage, and that we manage without incident.

Most clients make certain that the shipping documents are contained inside the containers so that there is less chance for misplaced documents. In the above matter, BWXT placed their documents on the outside of the container, and, unfortunately, these were removed, and hence separated from the containers. If they had been inside, this apparent loss of a sample might have been discovered as soon as the container was opened, with the appropriate steps being undertaken immediately. Also, another item was that they ran out of approved 5 gallon shipping containers, and used 20 gallon containers instead, much larger than what would normally be expected from them for that amount of samples.

Also attached for your review is a copy of the Sample Receipt Form referred to in the Corrective Action document.

Thank you for your patience and understanding in this matter,

Sincerely,



Bruce Peterson  
General Manager



Charles Avallone  
Nuclear Manager

CORRECTIVE ACTION

Date: 4/26/05

No: 2005-001

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Discrepancy:

Sample shipped to Ledoux & Company from BWX Technologies could not be located.

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Corrective Action Taken:

An exhausted search did not locate the sample. We informed BWX Technologies on April 13, 2005 of the problem. Then we informed the NRC of the missing sample at 1:00 pm on April 13, 2005.

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Action taken to prevent reoccurrence:

All packages containing radioactive materials will be examined by 2 employees to verify and document, using a sample receipt form, that the contents and associated documentation are correct upon receipt of package, but not later than 3 hours from receipt of delivery. The sample receipt form will contain information such as description of the package, its contents, radiation survey and the final disposition of the container. This corrective action has already been put in place.

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Signed: Paul Cavallone

Title: Manager  
Nuclear Services

Date: 5/2/05

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Follow up:

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Ledoux & Company  
Sample Receipt Form  
for packages containing radioactive material

Arrival Date: \_\_\_\_\_ Carrier: \_\_\_\_\_

Shipper: \_\_\_\_\_

Received by: \_\_\_\_\_

Released to: \_\_\_\_\_

Description of Package(s): \_\_\_\_\_

Number of packages: \_\_\_\_\_

Seals: YES NO If YES Seal number(s): \_\_\_\_\_

Total inner containers: \_\_\_\_\_ Total number of samples: \_\_\_\_\_

Do sample ID numbers and quantity agree with documents ? YES NO

**If No contact Nuclear Dept. Manager immediately.**

Disposition of Shipping container and packing material:

Container(s): Reuse : \_\_\_\_\_ Discard: \_\_\_\_\_ Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Packing Material: Reuse : \_\_\_\_\_ Discard : \_\_\_\_\_ Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Receipt Verification completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Two (2) signatures needed.

\_\_\_\_\_ Date: \_\_\_\_\_

Radiation Survey of Container(s)

	When Received		When exited
Surface	_____	dpm/100 cm <sup>2</sup>	_____ dpm/ 100 cm <sup>2</sup>
1 meter	_____	mr / hr	_____ mr/hr
Initials:	_____		_____
Date :	_____		_____