

Tuesday, October 24, 2006

New Hampshire Department of Health and
Human Services
Division of Public Health Services
Radiological Health Section
29 Hazen Drive
Concord, New Hampshire 03301-6504

Attention: Twila M. Kenna, Ph.D.
Manager
Radioactive Materials Program

Re: U.S. NRC RAM License No. 12-
16941-01
Reply to a Notice of Violation

Dear Ms. Kenna:

On October 2, 2006, Professional Service Industries, Inc. (PSI) received a copy of your September 26, 2006 and the attached Notice of Violation issued as result of an inspection conducted on September 5, 2006, of licensed activities conducted under the authorization of reciprocal recognition of U.S. Nuclear Regulatory Commission (NRC) Materials License No. 12-16941-01. The following is submitted in response:

- A. The device in question, a Troxler Model 3430 portable moisture/density gauge (S/N 32278) was leak tested on 04/21/06 and again on 10/14/06 (please see attached copies of leak test certificates provided by the Project Manager responsible for the Portsmouth, NH Wal-Mart project where for the device in question was used). According to the Project Manager, a copy of each leak test certificate was provided to the NHDHHS Representative during the inspection.
- B. According to the Project Manager responsible for the Portsmouth, NH Wal-Mart project, it appears that a copy of DPHS/RHS Form BRH-5 "Notice to Employees" may not have been posted at the job site as required by He-P 4019.03(d). PSI's licensed activities in New Hampshire were concluded as of 09/30/2006 thus no licensed materials are stored in the State of New Hampshire. In the future event that PSI possesses (stores) licensed material in the State of New Hampshire, a copy of the New Hampshire "Notice to Employees" form (DPHS/RHS Form BRH-5) will be posted in a conspicuous location, as required by He-P 4019.03(d).

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Reply to a Notice of Violation
Tuesday, October 24, 2006
Page Two

- C. According to the Project Manager responsible for the Portsmouth, NH Wal-Mart project, it appears that the completed Shipping Paper ("Shipper's Declaration of Dangerous Goods" form) was dated December 6, 2004. PSI's Corporate Safety Department will direct the individual now in possession of the device in question to complete and print a new "Shipper's Declaration of Dangerous Goods" form for the gauge (from the template copy [uncompleted sample attached FYI] posted on PSI's company intranet). As indicated in Item B. above, PSI's licensed activities in New Hampshire were concluded as of 09/30/2006 thus no licensed materials are stored in the State of New Hampshire.

Your attention to this matter is appreciated. Should you have any questions or if I may be of any assistance, please contact me at PSI's corporate office in Oakbrook Terrace, Illinois at 630/691-1490 (x 320).

Sincerely,



John T. Thornton
Safety Director/Corporate RSO

JTT/

Attachment(s) – as stated

cc: B. Olszewski
M. DeSilver
U.S. NRC Region III, Material Licensing Branch
File

SHIPPER'S DECLARATION FOR DANGEROUS GOODS

(Provide at least two copies to the airline.)

Shipper:	Air Waybill No.
	Page of Pages
	Shipper's Reference Number <i>(optional)</i>

Consignee:	
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Two completed and signed copies of this Declaration must be handed to the operator

WARNING

Failure to comply in all respects with the applicable Dangerous Goods Regulations may be in breach of the applicable law, subject to legal penalties. This Declaration must not, in any circumstances, be completed and/or signed by a consolidator, a forwarder or an IATA cargo agent.

TRANSPORT DETAILS

This shipment is within the limitations prescribed for: <i>(delete non-applicable)</i>	Airport of Departure
PASSENGER AND CARGO AIRCRAFT CARGO AIRCRAFT ONLY	

Airport of Destination:	Shipment type: <i>(delete non-applicable)</i> NON-RADIOACTIVE RADIOACTIVE
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NATURE AND QUANTITY OF DANGEROUS GOODS

Dangerous Goods Identification					Quantity and Type of packing	Packing Inst.	Authorization
Proper Shipping Name	Class or Division	UN or ID No.	Packing Group	Subsidiary Risk			
RQ, Radioactive Material Type A Package, Special Form	7	UN3332			Cs-137 0.30 GBq (8 mCi) Am-241:Be 1.48 GBq (40 mCi)	Yellow II T.I.= Dimension 75 cm x 35 cm x 42cm	Special Form Certificate No. USA/0614/S or USA/0356/S or USA/0673/S and USA/0632/S or CZ/1009/S
Cargo Aircraft Only							

Additional Handling Information
 Cargo Aircraft Only
 Inaccessible Dangerous Goods
 Emergency Response Information sheet attached
 24 hr. Emergency Contact Tel. No. 919/549-9539

I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. I declare that all of the applicable air transport requirements have been met.	Name/Title of Signatory
	Place and Date
	Signature <i>(See warning above)</i>

Send all kits and requests to:

SUNTRAC Services, Inc.
1818 East Main Street
League City, TX 77573
(281) 338-2133

ATTN: SIT-KIT

CAUTION: Conduct a survey on the outside of each package placed in the U.S. Mails. Any reading over 0.5 mR/hr at contact with the envelope or package shall not be mailed.

LEAK TEST INVENTORY/REPORT FORM

Company Name: Professional Service Industries, Inc.

Address: 905 Turnpike St., Ste. H City: Canton State: MA Zip Code: 02021

Isotope: Cs 137 / Am 241 Be Activity: 8.0 / 40.0 mCi

Source Serial No: 750-7434/47-25842 Leak Test Date: 4/21/2006

Device Serial No: 32278

Manufacturer: Troxler Model No.: 3430

Smear Taken By: WJO

----- DO NOT WRITE BELOW THIS LINE -----

This is to certify that the above described smear/swab has been assayed at our facilities for indication of source leakage.

Sample was also assayed for depleted uranium.

Our findings show the leakage to be:

ALPHA	BETA-GAMMA	
<.0001	<.0001	µCi (Wet)

Certified By: 

Date: 4/24/2006

SUNTRAC Services, Inc. Representative
(Texas Radioactive License No. L03062)

COPY

101706

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1818 East Main Street
League City, TX 77573
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Company Name: Professional Service Industries, Inc.

Address: 905 Turnpike St., Ste. H City: Canton State: MA Zip Code: 02021

Isotope: Cs 137 / Am 241 Be Activity: 8.0 / 40.0 mCi

Source Serial No: 750-7434/47-25842 Leak Test Date: 10/14/05

Device Serial No: 32278

Manufacturer: Troxler Model No.: 3430

Smear Taken By: D. Mello

----- DO NOT WRITE BELOW THIS LINE -----

This is to certify that the above described smear/swab has been assayed at our facilities for indication of source leakage.

Sample was also assayed for depleted uranium.

Our findings show the leakage to be:

<u>ALPHA</u>	<u>BETA-GAMMA</u>	
<u><.0001</u>	<u><.0001</u>	<u>µCi (Wet)</u>

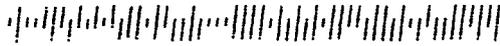
Certified By: 

Date: 10/18/05

SUNTRAC Services, Inc. Representative
(Texas Radioactive License No. L03062)

COPY

232205



UNITED STATES POSTAGE
EAGLE
FIRST CLASS
FIRST CLASS PERMIT NO. 4000
CHICAGO, IL 60646
02 1A \$ 00.63⁰
0004398662 OCT 25 2006
MAILED FROM ZIP CODE 60181

psi Information
To Build On
Engineering • Consulting • Testing

1901 S. Meyers Road, Suite 400
Oakbrook Terrace, IL 60181

U.S. NRC REGION III
▶ DIVISION OF NUCLEAR
MATERIALS SAFETY
2443 WARRENVILLE RD.
SUITE 210
LISLE, IL 60532-4352
ATTN: COMPLIANCE