

# PRIME NDT SERVICES, INC.

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November 8, 2007

US Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555

Re: Docket No. 03020982  
License No. 37-23370-01

Subject: Inspection 03020982/200701, Response to Violation

To Whom It May Concern:

The following is our response to the violation of NRC requirements and the corrective actions put in place.

## Restatement of Violation:

A. 10 CFR 71.5(a) requires that a licensee who transports licensed material outside the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.

49 CFR 172.403 requires, except where specifically exempted, each package of Class 7 radioactive material and associated overpack if used, be labeled with appropriate DOT labels.

Contrary to the above, the licensee transported radioactive material packages without the required DOT labels. Specifically, between the period of September 20, 2006, and September 11, 2007, the licensee routinely transported AEA 880 cameras/type B packages in overpacks without the packages being properly labeled.

### 1. Reason for the Violation:

Prior to purchasing the new Model 880 series packages, we had been using the Model 660 series which required an overpack. When we swapped projectors, we also gave back the overpack. The salesman recommended we purchase ammo boxes to use in transporting our new projectors. We totally overlooked the fact that the Model 880 was a type B container without the Model OPL-660 container.

JED  
RGM

2. **Corrective Steps:**

The day of the inspection, Don Shumway, Jr. started putting the proper labels on the 880D projectors in our vault. He took pictures of the proper way they are to be labeled. For all the projectors in the field, he made up the labels and sent them to the out of town radiographers along with the pictures.

3. **Corrective Steps taken to Avoid Further Violations:**

We consider this a onetime violation and now that we understand the requirements, this should never happen again.

4. **Full Compliance:**

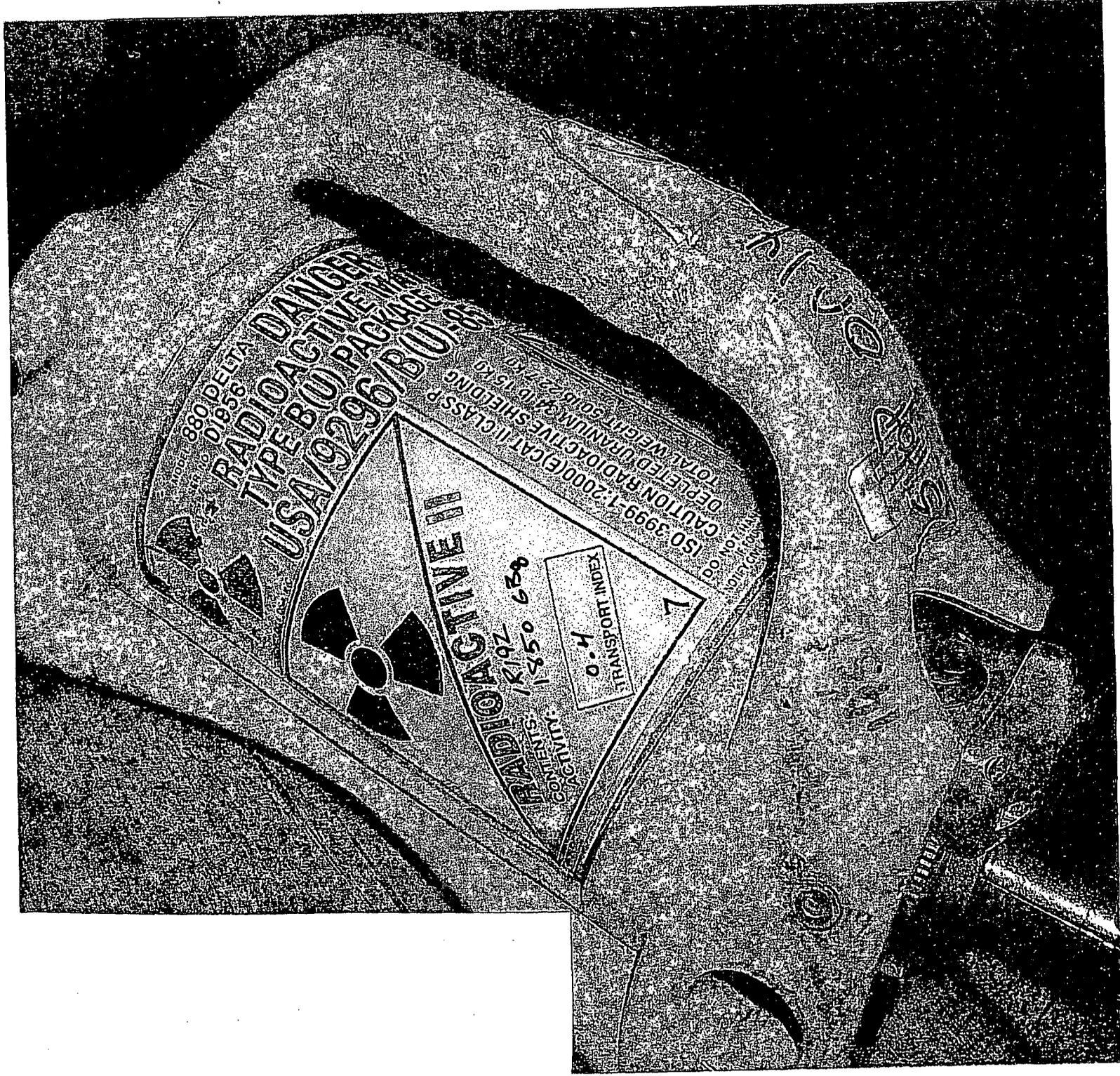
Labels were put on all the projectors no later than September 14, 2007. Full compliance was achieved no later than September 21, 2007 for all out of state projectors and verified during an inspection on October 4, 2007.

Sincerely,

  
Don B. Shumway, Sr.  
President

DBS:rao

cc: Regional Administrator, USNRC Region  
475 Allendale Road  
King of Prussia, PA 19406



880 DELTA DANGER

TYPE B(U) PACKAGING

USA/9296/B078

RADIOACTIVE II

AGNITY

SERIALS 12192-1850 638

TRANSPORT INDEX 0.4

7

CLASSIFICATION  
ISO 3999-1:2000 (CAT II) CLASS B  
CAUTION RADIOACTIVE SHIELDING  
DELETED RADIATION CALIBRATION  
TOTAL WEIGHT 500g (21.1oz)

SHIP