

**SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION**

1. LICENSEE/LOCATION INSPECTED:  
**Department of Homeland Security  
 Border & Transportation Security Directorate  
 U.S. Customs & Border Protection Bureau  
 1300 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20229**  
 REPORT Nos **030-12771/2009001**

2. NRC/REGIONAL OFFICE  
**U.S. Nuclear Regulatory Commission  
 Region I, 475 Allendale Road  
 King of Prussia, Pennsylvania 19406-1415**

3. DOCKET NUMBER(S)  
**030-12771**

4. LICENSE NUMBER(S)  
**08-17447-01**

5. DATE(S) OF INSPECTION  
**Aug 3, Sept 2 & 3, Nov 12, 2009**

**LICENSEE:**

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- 1. Based on the inspection findings, no violations were identified.
- 2. Previous violation(s) closed.
- 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, NUREG-1600, to exercise discretion, were satisfied.
  - Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(s):

- 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and the violation is being cited. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.
  - A. Item 8 of the licensee's application dated July 7, 2003 (Condition 28.A. of the license) requires, in part, that all primary operators receive a formal training modeled on 10 CFR Part 19.

10 CFR 19.12(a) requires, in part, that all individuals working in a restricted area be instructed in the precautions and procedures to minimize exposure to radioactive materials, and in the applicable provisions of the Commission's regulations and licenses.

The licensee's procedures described in the letter dated September 3, 2003 (condition 28.C of the license) require, in part, that a scan be terminated if people are detected during the scan.

Contrary to the above, at least two operators at the licensee's facility at the Detroit Port of Entry were not instructed in the requirement to terminate a scan if people were detected during the scan.

*ML 093440193*

This is a Severity Level IV violation (Supplement VI). *Corrective Actions Documented (MFM)*

**Licensee's Statement of Corrective Actions for Item 4, above.**

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE	Gary T. McMahan, Director	<i>Gary T. McMahan</i>	11/27/09
NRC INSPECTOR	Sattar Lodhi	<i>Sattar Lodhi</i>	11/12/2009