

June 7, 2010

Charles Snyder, Department Director
American Consulting, Inc.
7260 Shadeland Station
Indianapolis, IN 46256-3957

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-36584/10-01(DNMS) AND
NOTICE OF VIOLATION – AMERICAN CONSULTING, INC.

Dear Mr. Snyder:

On May 10 and 11, 2010, the U.S. Nuclear Regulatory Commission (NRC) conducted an inspection at your Terra Haute and Indianapolis, Indiana facilities, with continued NRC in-office review through May 20, 2010. The NRC in-office review included receipt and review of information related to your personnel dosimetry program. A telephone exit meeting between your Radiation Safety Officer (RSO) Christopher Holth and Andrew Bramnik and Michael LaFranzo of my staff was conducted on May 20, 2010, to discuss the inspection findings.

This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that three Severity Level IV violations of NRC requirements occurred. The violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The three violations involved the licensee's failure to: (1) properly implement the personnel dosimetry program; (2) calibrate a survey meter annually; and (3) record six month inventories of portable gauges by serial number. The violations are being cited because they were identified by the NRC. The corrective actions to address the above violations were discussed between your RSO and members of the NRC staff during the site inspection and via telephone.

The violations are cited in the enclosed Notice of Violation (Notice). You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the information notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

C. Snyder

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access & Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions please feel free to contact Andrew Bramnik of my staff at (630) 829-9543.

Sincerely,

/RA/

Tamara E. Bloomer, Chief
Materials Inspection Branch

Docket No. 030-36584
License No. 13-32518-01

Enclosure:
Notice of Violation

cc w/ encls: Christopher Holth, Radiation Safety Officer
State of Indiana

C. Snyder

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access & Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

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Sincerely,

/RA/

Tamara E. Bloomer, Chief
Materials Inspection Branch

Docket No. 030-36584
License No. 13-32518-01

Enclosure:
Notice of Violation

cc w/ encls: Christopher Holth, RSO
State of Indiana

DISTRIBUTION:

Cynthia Pederson
Steven Reynolds
Patrick Loudon
Steven Orth
Carole Ariano
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MIB Inspectors

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OFFICE	RIII DNMS	C	RIII DNMS		RIII DNMS		RIII	
NAME	MMLaFranzo: jm		AMBramnik		TRBloomer			
DATE	06/07/10		06/03/10		06/7/10			

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NOTICE OF VIOLATION

American Consulting, Inc.
Indianapolis, Indiana

Docket No. 030-36584
License No. 13-32518-01

During an U.S. Nuclear Regulatory Commission (NRC) inspection conducted on May 10 and 11, 2010, with continued NRC in-office review through May 20, 2010, three violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

Condition 21 of NRC License No. 13-32518-01 requires, in part, that the licensee conduct its program in accordance with the statements, representations, and procedures contained in its application facsimile received July 15, 2004.

1. Item 10 "Radiation Safety Program – Occupational Dosimetry" of the checklist included in the application received July 15, 2004, states, in part, that the licensee will either maintain documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10% of the allowable limits in Title 10 of the Code of Federal Regulations (10 CFR) Part 20 or provide dosimetry processed and evaluated by a NVLAP-approved processor that is exchanged at a frequency recommended by the processor.

Attachment D titled "RSO Responsibilities" of the application received July 15, 2004, states, in part, that when necessary, personnel monitoring devices are used and exchanged at the proper intervals and records of the results of such monitoring are maintained.

Contrary to the above, as of May 11, 2010, the licensee did not maintain documentation demonstrating that unmonitored individuals were not likely to receive a dose in excess of 10% of the allowable limits in 10 CFR Part 20 and was therefore required to provide dosimetry to its employees, and the licensee failed to properly implement the personnel dosimetry program. Specifically:

- a. Between November 10, 2009, and April 29, 2010, the licensee failed to exchange dosimetry at the proper intervals. Specifically, on May 11, 2010, the inspectors identified a portable gauge operator wearing a dosimetry badge dated from October 10 through November 9, 2009 and records indicated that the operator had used or transported portable gauges between November 10 and 13, 2009, and on April 29, 2010. The licensee exchanged dosimetry badges on a monthly frequency.
- b. Between March 18 and November 3, 2009, the licensee failed to maintain records of dosimetry monitoring. Specifically, the licensee did not possess dosimetry records for two individuals who used or transported portable gauges on multiple occasions between March 18 and August 24, 2009, and October 2 and November 3, 2009.

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- c. Between March 4, 2009, and March 25, 2010, the licensee failed to maintain records of dosimetry monitoring. Specifically, the licensee's records showed "unused" results for dosimetry badges of six individuals who used or transported portable gauges on multiple occasions between March and June 2009, August and December 2009, and March 2010.

This is a Severity Level IV violation (Supplement VI).

2. Item 10.2 "Radiation Detection Instruments" of the application received July 15, 2004, states, in part, that the licensee shall have a survey meter available for use in the event of an incident involving the gauge, and the survey meter shall be calibrated annually by the manufacturer.

Contrary to the above, as of May 11, 2010, the licensee failed to calibrate their survey meter annually. Specifically, the licensee's survey meter was last calibrated in August 2004.

This is a Severity Level IV violation (Supplement VI).

3. Item 10.4 "Inventories" of the application received July 15, 2004, states, in part, that six months inventories shall be recorded by portable gauge serial numbers.

Contrary to the above, as of May 11, 2010, the licensee failed to record six month inventories of portable gauges by serial number. Specifically, the licensee had tracked and recorded inventories using an internal identification number for each gauge, instead of by serial numbers.

This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, American Consulting, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Because your response will be made available

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electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 7TH day of June 2010.

Enclosure