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Reply to a Notice of Violation

December 17, 2010

U.S. Nuclear Regulatory Commission - Region IV
Division of Nuclear Materials Safety
Nuclear Materials Safety Branch A
612 East Lamar Boulevard, Suite 400
Arlington, Texas 76011-4125
Attn: Ms. Vivian H. Campbell

Reference: Docket 030-35997
Reference: License 11-27727-01

Dear Ms. Campbell:

SABIA, Inc. has reviewed the Notice of Violation, dated November 2, 2010. In accordance with the guidance provided in Information Notice 96-28, a complete and thorough review was performed to determine the circumstances that led to the violations.

A. and B. Prior to the inspection of June 21, 2010, one key person had left SABIA. During the transition of responsibility, several source shipping containers were moved and re-organized. This led to a situation where three shipping containers were placed in close proximity to each other, resulting in a change in background radiation levels in the area and creating an area which should have been posted as a radiation area, since the radiation levels were greater than 5 mR/hr in the area. Also, the dose assessment to members of the general public was not performed after this re-organization of materials.

These violations occurred due to the lack of training for a key person responsible in the SABIA facility.

A dose assessment was performed for members of the general public, and the area near the source storage containers has been labeled with signs denoting "Caution, radiation area".

C. The above two violations provides clear indication that additional training was required for the key SABIA employee, responsible for the facility. Since that time, two training sessions have provided additional knowledge and understanding for the responsibilities which this key SABIA employee has accepted.

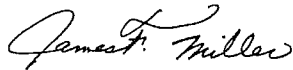
The training sessions are in accordance with NUREG 1556, Volume 12, appendix H.

The root cause of the above violations was due to inadequate training for a key individual who was assuming increased responsibilities for the SABIA facility. These increased responsibilities were caused by the resignation of a SABIA employee who previously had these safety responsibilities.

Since the Notice of Violation, the immediate causes were addressed, with proper signs installed, a dose assessment performed for members of the general public, and additional training provided for the key SABIA employee responsible for the safety at this facility. In addition, an ongoing training program has been implemented among all radiation workers and a review of all radiological procedures used in-house at SABIA and all field service procedures has been performed, with several procedures indicated for updates and clarifications. These updated procedures are presently reviewed in-house and are expected to have a formal document release before January 31, 2011.

If there are any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "James F. Miller".

James F. Miller
Radiation Safety Officer