



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I**  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

December 28, 2010

Docket No. 03020896  
EA-10-253

License No. 52-17776-02

Luis Garcia, P.E.  
President  
Geo Cim, Inc.  
Amelia Distribution Center  
Emma Street, Lot 26A  
Guaynabo, PR 00968-8007

**SUBJECT: NRC INSPECTION REPORT NO. 03020896/2010001**

Dear Mr. Garcia:

On October 5- 7, 2010, Scott Wilson of this office conducted a safety inspection at the Geo Cim, Inc. main office located in Guaynabo, Puerto Rico, and at the Portugues Dam Project, 5.5 Km. North, PR10, Ponce, Puerto Rico. The inspection was an examination of your activities authorized by the above listed NRC license, as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. Additional information provided by Mr. Rolando Davila, Geo Cim, Inc. Radiation Safety Officer, via electronic mail message dated November 28, 2010, describing actions you had taken, was also examined as part of the inspection. The findings of the inspection were discussed with you via telephone on December 6, 2010, at the conclusion of the inspection. The enclosed report presents the results of this inspection.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The apparent violation being considered for escalated enforcement action involves the failure to use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee, as required by 10 CFR 30.34(i). Specifically, between the dates of August 25, 2010, and October 5, 2010, at times when the portable gauges were not under control and constant surveillance, authorized gauge users stored portable gauges in open bed pickup trucks owned by the company, within a locked metal box containing a single locking device, without a second tangible barrier to secure the gauge from unauthorized removal.

On December 16, 2010, Marie Miller and Scott Wilson of this office conducted a telephone discussion with you to provide you an opportunity to either respond in writing to this apparent violation or to request a Pre-decisional Enforcement Conference (PEC) before the NRC makes its enforcement decision. You were also informed that the NRC has sufficient information regarding the apparent violation and your corrective actions to enable the NRC to make an enforcement decision. Based on this discussion, you declined the opportunity to provide additional written response or attend a PEC.

In addition, three apparent violations, which are not being considered for escalated enforcement action, were identified during this inspection. These include the failure to: 1) conduct a periodic review of your radiation protection program content and implementation as required by 10 CFR 20.1101; 2) conduct a physical inventory every six months to account for all sources as required by Condition 15 of the License; and, 3) provide hazmat employee training as required by Condition 18 of the License and 49 CFR Part 172. Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

Current NRC regulations are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. The current NRC Enforcement Policy is included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **About NRC; How We Regulate; Enforcement**; then **Enforcement Policy**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

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 and from the NRC document 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 personal privacy or proprietary information is necessary, please contact Marie Miller of my staff at 610-337-5205 to discuss how to request withholding of such information.

Sincerely,

*/RA/*

John D. Kinneman, Director  
Division of Nuclear Materials Safety

Enclosure:  
Inspection Report No. 03020896/2010001

cc w/encl:  
Rolando Davila, RSO  
Commonwealth of Puerto Rico

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John D. Kinneman, Director  
Division of Nuclear Materials Safety

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cc w/encl:  
Rolando Davila, RSO  
Commonwealth of Puerto Rico

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