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January 28, 2011

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Cc: U.S. Nuclear Regulatory Commission
Regional Administrator – Region IV
612 E. Lamar Blvd
Ste. 400
Arlington, TX 76011

Re: Reply to a Notice of Violation
NRC Inspection Report 030-30118/2010-001 and Notice of Violation

Dear Ms. Campbell,

Please find Weatherford International's response to the Notice of Violation referenced above. I have included the alleged violation numbered 1 and 2 with response below.

1. *10 CFR 71.5(a) states, in part, that each licensee who transports licensed material outside the site of usage, as specified in the NRC license, or where transport is on public highways, shall comply with the applicable requirements of the DOT regulations in 49 CFR parts 107, 171 through 180, and 390 through 397, appropriate to the mode of transport.*

49 CFR 177.817(a) states, in part, that a person may not transport a hazardous material by highway unless that person has received a shipping paper prepared in accordance with part 172 of this subchapter.

Contrary to the above, on November 17, 2010, the licensee transported a hazardous material by highway without the appropriate shipping paper prepared in accordance with part 172 of this subchapter. Specifically, the licensee transported a 5-curie americium-241 source and a 1.5-curie cesium-137 source on public highways from a temporary job site in Wyoming, back to the field office in Rock Springs, Wyoming, without having a shipping paper accompanying the shipment.

2. *10 CFR 39.67(b) states, in part, that before transporting licensed materials, the licensee shall make a radiation survey of the position occupied by each individual in the vehicle and of the exterior of each vehicle used to transport the licensed materials.*

Contrary to the above, on November 17, 2010, the licensee failed to make a radiation survey of the position occupied by each individual in the vehicle and of the exterior of each vehicle used to transport the licensed materials. Specifically, the licensee transported a 5-curie americium-241 source and a 1.5-curie cesium-137 source on public highways from a temporary job site in Wyoming, back to the field office in Rock Springs, Wyoming, without performing the required surveys prior to transporting the licensed materials.

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Page 1 of 3

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▪ **Reason for Violation:**

There are circumstances, out of the ordinary, that played key roles, which lead to both violations. The sources were originally being transported, in a well logging vehicle, for use at a temporary job site. During the course of transportation, this vehicle encountered a mechanical failure, which resulted in the need to have the vehicle towed by a wrecker service. The decision was made to remove the shipping containers, with sources, from the well logging vehicle and transport them in another company vehicle, to the nearest Weatherford facility. This decision was made to ensure the sources were not transported on the well logging vehicle to a third party repair shop. These circumstances resulted in the failure to complete a new shipping document and survey the new transport vehicle.

The investigation determined the following contributing factors:

- Lack of managing the change in the scope of the job plan
- Rushing/Complacency
- Possible unclear understanding of procedures by the DOT driver

▪ **Corrective Steps Taken and Results Achieved:**

The following corrective steps listed below were taken after the incident. The achieved results of these are that all employees directly involved with these violations have a complete understanding of DOT and NRC requirements and Weatherford policies & procedures as documented in remedial training exercises. The remedial training reviews below will be completed on or before January 31, 2011, for all facility employees.

- Review of hazardous materials transport paperwork requirements and procedures for the proper completion of hazardous materials transport paperwork
- Review of vehicle radiation survey requirements and procedures
- Review of radioactive material loading/unloading procedures

▪ **Corrective Steps that will be Taken to Prevent Future Occurrence:**

The current training program already includes the requirements for vehicle surveys and hazardous materials transportation paperwork. Weatherford has no reason to believe the failure to complete new transportation paperwork and surveys of the new transport vehicle is anything more than an isolated incident and with the re-emphasis and remedial training exercises on these requirements, Weatherford believes the employees at the facility will have a better understanding of the procedures already in place. The understanding of these policies will aid in the elimination of complacency that may have developed.



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Weatherford will continue to assess compliance with all applicable requirements through on-site inspections from the Radiation Compliance Department.

▪ **Date when Full Compliance and Corrective Steps will be Achieved:**

Full compliance was achieved immediately following the NRC inspection. All corrective steps will be completed no later than January 31, 2011.

If you have any questions related to this matter, please do not hesitate to contact me. My contact information is shown below.

Regards,

Christopher "Sean" Perry
US Radiation Safety Officer