

August 20, 1996

U.S. Nuclear Regulatory Commission
Region II
101 Marietta Street, NW, Suite 2900
Atlanta, Georgia 30323

Attention: Regional Administrator

Re: USNRC RAM License No. 45-25085-01
Reply to a Notice of Violation
Docket No. 030-31569

Gentlemen:

Professional Service Industries, Inc. (PSI) is in receipt of the Notice of Violation issued as a result of an inspection conducted at PSI's Fairfax, Virginia facility on 06/27-28/96. The following is submitted in response:

1. The alleged violation of 10 CFR 71.5(a), in that the moisture/density gauges in question were transported without being secured against movement during conditions normally incident to transportation, is denied. Mr. Blair's (the driver of the vehicle) statement of the events that occurred included a description of how the devices were blocked and braced in the back of the pick up truck using other equipment and cases being transported. Mr. Blair's statement also indicates that the USNRC inspector approached as he was in the process of unloading the devices. The inspector may not have had the opportunity to observe the blocking and bracing.
2. The alleged violation of 49 CFR 177.817(a), in that the moisture/density gauges in question were shipped without the appropriate shipping paper(s), is acknowledged. PSI's Woodbridge facility had been operationally closed and PSI was in the process of transferring equipment from the Woodbridge facility to PSI's Fairfax facility at the time of the inspection. Apparently, PSI had been given until the end of June to move out of the facility. On June 27, PSI discovered that the landlord of the Woodbridge facility had allowed members of the general public (new tenants and some of the landlord's personnel, including several minors) access to PSI's Woodbridge facility to move PSI's equipment to a storage unit down the street. PSI's personnel determined that removing the licensed (radioactive) material (moisture/density gauges) immediately was the best course of action. Due to the movement of PSI's

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Information To Build On

equipment, including file cabinets, by the personnel granted access by the landlord, the driver of the PSI vehicle was unable to locate the "information pouches" for the gauges that contained the shipping papers. The driver then asked another PSI employee to look for them. That individual returned with some manila folders that the driver placed on the front seat of the truck without verifying their contents. Upon inspection at PSI's Fairfax facility, the folders contained documents relating to the moisture/density gauges, but did not contain the shipping papers. The following actions have been taken to prevent recurrence (although the circumstances were highly abnormal for PSI operations and would not be expected to occur again): The proper transport of licensed (radioactive) material (moisture/density gauges) was included in a safety meeting conducted by Mr. Leo Titus on June 28 with moisture/density gauge operators at PSI's Fairfax office. A description of the event will also be included in the next (quarterly) issue of PSI's radiation safety newsletter, which is distributed to all PSI facilities utilizing radioactive materials. Full compliance will be achieved upon distribution of the next issue of PSI's radiation safety newsletter (scheduled to occur by Friday, September 13).

3. In regard to the alleged violation of Condition 18. of USNRC RAM License No. 45-25085-01, in that neither the source rod nor the transport case for either of the moisture/density gauges in question was locked during transport, the following is submitted in response: Although the source rods were in the fully retracted ("safe") position and the transport cases were secured in the rear of the truck with the enclosure (shell) locked to prevent unauthorized removal of the devices from the truck or the source rods from the "safe" position, PSI has no alternative but to acknowledge the violation due to the specific nature of the text contained in Condition 18. of the license. To prevent recurrence, discussion of the violation was included in the safety meeting referenced in Item 2. Additional padlocks and chains were purchased to ensure that more than sufficient quantities are available for use by the moisture/density gauge operators at PSI's Fairfax facility. In accordance with Item 2. of this response, a description of the event will be included in the next issue of PSI's radiation safety newsletter, to be distributed to all PSI facilities utilizing radioactive materials. Additionally, a letter has been sent to the Executive Vice-President in charge of moisture/density gauge operations at PSI's Fairfax facility outlining the alleged violations and indicating that those items should bear additional scrutiny during the next inspection of the moisture/density gauge program at the Fairfax facility. Full compliance will be achieved upon completion of the next internal inspection of moisture/density gauge operations at PSI's Fairfax facility, which has been "moved up" two months in light of the USNRC inspection findings (tentatively scheduled for completion by September 30).

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Should you have any questions, please contact me at 630/691-1490 (x 320).

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Ackermann', with a long horizontal stroke extending to the right.

Adam C. Ackermann
Radiation Safety Director

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cc: L. Titus - Fairfax, VA
A. Adas - Fairfax, VA
M. Kesselmayr - Lombard, IL
Document Control Desk - USNRC, DC
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