



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BLVD
ARLINGTON, TEXAS 76011-4511

February 15, 2013

Mr. Scott Leavitt, Radiation Safety Officer
Idaho Testing and Inspection, Inc.
25 Fourteenth Avenue South, Suite 1
Nampa, Idaho 83651

SUBJECT: INSPECTION REPORT NO. 030-34171/2012-001 AND NOTICE OF VIOLATION

Dear Mr. Leavitt:

This letter refers to the routine inspection conducted on October 30, 2012 at your Nampa, Idaho location with continued in-office review through February 13, 2013. The findings we discussed with you during an exit briefing conducted on February 13, 2013.

During this inspection, the U.S. Nuclear Regulatory Commission (NRC) staff examined activities conducted under your license as they relate to public health and safety to confirm 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 a Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at (<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>). The violation is cited in the enclosed Notice of Violation (Notice) because the inspector indentified the violation.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. For your consideration and convenience, an excerpt from NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," is enclosed." If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements."

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, Enclosure 1, and your response, will be made available electronically for public inspection in the NRC

Public Document Room or from the NRC's document 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 or proprietary, information so that it can be made available to the Public without redaction.

Sincerely,

/RA/

G. Michael Vasquez, Chief
Nuclear Materials Safety Branch A
Division of Nuclear Materials Safety

Docket No. 030-34171
License No. 11-27542-01

Enclosures:

1. Notice of Violation
2. NRC Information Notice 96-28

NOTICE OF VIOLATION

Idaho Testing and Inspection, Inc
Nampa, Idaho

Docket No. 030-34171
License No. 11-27452-01

During the U.S. Nuclear Regulatory Commission (NRC) inspection conducted on October 30, 2012, with continued in-office review through February 13, 2013, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 20.1101(c) states "the licensee shall periodically (at least annually) review the radiation protection program content and implementation."

Contrary to the above, the licensee failed to conduct program content and implementation reviews at least annually. Specifically, no review of the radiation protection program was conducted by the licensee between the February 26, 2006, and June 21, 2011, program reviews.

This is a Severity Level IV violation (Section 6.3).

Pursuant to the provisions of 10 CFR 2.201, Idaho Testing and Inspection, 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 IV, 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, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> to the extent possible, it 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. If Classified Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR Part 95.

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

Dated this 15th day of February 2013

Internal distribution:

E. Collins
 S. Reynolds
 A. Vogel
 V. Campbell
 J. Whitten
 NMSB-B
 M. Herrera, Fee Coordinator

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| | <input checked="" type="checkbox"/> Publicly Available | <input checked="" type="checkbox"/> Non-Sensitive |
| Category A. | <input type="checkbox"/> Non-publicly Available | <input type="checkbox"/> Sensitive |
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| MPoston | GMVasquez | |
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| 02/14/2013 | 02/15/2013 | |

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