



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

April 30, 2013

Docket No. 03038536

License No. 06-31472-01

Manish K. Gupta, P.E.  
Vice President  
GM2 Associates, Inc.  
115 Glastonbury Boulevard  
Glastonbury, CT 06033

SUBJECT: NRC INSPECTION REPORT NO. 03038536/2013001, GM2 ASSOCIATES, INC., GLASTONBURY, CONNECTICUT SITE AND NOTICE OF VIOLATION

Dear Mr. Gupta:

On March 8 - April 25, 2013, Craig Gordon of this office conducted a safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities 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 in your correspondence dated March 28, 2013 and a telephone conversation on April 25, 2013, between Mr. Paul Hoyt of your organization and this office were also examined as part of the inspection. The findings of the inspection were discussed with you at the conclusion of the inspection.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that eight Severity Level IV violations of NRC requirements occurred. The violations are cited in the enclosed Notice of Violation (Notice), because the violations were identified by the NRC.

In your March 28, 2013 letter you notified the NRC that you intended to transfer the gauges back to the manufacturer. In a follow up discussion and preliminary exit meeting held on April 2, 2013, you stated that corrective and preventative actions to address each violation would be taken, that transfer arrangements for the gauges were in progress, and that you expected to terminate your NRC license. In the April 25, 2013 phone call, Mr. Hoyt contacted Mr. Gordon to notify the NRC that you may have contract work involving gauge use and wanted to continue to maintain the NRC license. He stated a qualified RSO had been hired and would submit an amendment request to add the new RSO. Also, he provided information about your corrective actions expected to be taken to address the other identified violations. Please review the instructions in the Notice of Violation and respond to this office on each violation.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or 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.

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. 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 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Please contact Mr. Gordon at 610-337-5216 if you have any questions regarding this matter.

Sincerely,

***Original signed by Blake D. Welling***

Blake Welling, Chief  
Materials Security and Industrial Branch  
Division of Nuclear Materials Safety

Enclosure:  
Notice of Violation

cc:  
State of Connecticut

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.

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Sincerely,

**Original signed by Blake D. Welling**

Blake Welling, Chief  
Materials Security and Industrial Branch  
Division of Nuclear Materials Safety

Enclosure:

Notice of Violation

cc:

State of Connecticut

Distribution:

D. J. Holody, RI

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**SUNSI Review Complete: CGordon**

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	CGordon/cg		BWelling/bw			
DATE	4/29/13		4/30/13			

## **NOTICE OF VIOLATION**

GM2 Associates, Inc.  
Glastonbury, CT

Docket No. 03038536  
License No. 06-31472-01

During an NRC inspection conducted on March 8- April 25, 2013, eight violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. NRC License No. 06-31472-01, Condition 12, identifies Mallikarjuna Rao Galla as the Radiation Safety Officer.

Contrary to the above, the named Radiation Safety Officer left the company in 2012, and as of March 8, 2013, the licensee had not obtained a license amendment to its license to name another qualified individual as the Radiation Safety Officer.

This is a Severity Level IV violation (Section 6.3.d.8).

- B. Condition 13 A. of NRC License No. 06-31472-01 requires that sealed sources shall be tested for leakage and/or contamination at intervals not to exceed six months or at the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State. The required leak test frequency for Seaman Model C-300 gauges is six months.

Contrary to the above, as of March 8, 2013, the licensee had not performed the required six month leak test on all gauges since June 2012.

This is a Severity Level IV violation (Section 6.3.d.3).

- C. 10 CFR 20.1101(c) requires that the licensee periodically (at least annually) review the radiation safety program content and implementation.

Contrary to the above, as of April 25, 2013, the licensee had not reviewed the radiation protection program annually. Specifically, since the license was issued on April 13, 2012, the licensee had not performed a periodic (at least annual) review of the radiation safety program content and implementation.

This is a Severity Level IV violation (Section 6.3.d.3).

- D. Condition 14 of NRC License No. 06-31472-01 requires that the licensee conduct a physical inventory every six months, or at intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for five years from the date of each inventory and shall include the radionuclide, quantities, manufacturer's name and model number, and the date of the inventory.



Contrary to the above, as of March 8, 2013, the licensee did not conduct a physical inventory every six months to account for all sources and/or devices possessed under the license. Specifically, the licensee possessed two Seaman Nuclear Corporation Model C-300 gauges and has not conducted a physical inventory since the license was issued on April 13, 2012.

This is a Severity Level IV violation (Section 6.3.d.3).

- E. 10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers license material to a carrier for transport, comply with the applicable requirements of the regulation appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.

49 CFR 172.704(c)(2) states that a HAZMAT employee shall receive training required by this subpart at least once every three years.

Contrary to the above, as of March 8, 2013, the licensee did not ensure that authorized users (HAZMAT employees), who performed functions subject to the requirements of 49 CFR Parts 171 - 177 were trained as required. Specifically, all authorized users had not received HAZMAT training since the license was issued on April 13, 2012.

This is a Severity Level IV violation (Section 6.3.d.4).

- F. 10 CFR 20.1902(e) requires that the licensee post each area or room in which certain amounts of licensed material, specified in §20.1902(e), are used or stored, with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)."

Contrary to the above, on March 8, 2013, the storage closet used for gauges containing Ra-226 was not posted with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)."

This is a Severity Level violation (Section 6.3.d.3).

- G. Condition 19 of NRC License No. 06-31472-01 requires, in part, that the licensee conduct its program in accordance with statements, representation, and procedures contained in the application dated March 12, 2012.
1. Item 10 of NRC Form 313 to letter dated March 12, 2012, requires that the licensee maintain for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10 percent of the allowable limits in 10 CFR 20 or will provide dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor.





Contrary to the above, from April 13, 2012 through March 8, 2013, the licensee had not maintained for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10 percent of the allowable limits in 10 CFR 20 or provided dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor.

This is a Severity Level IV violation (Section 6.3.d.3).

2. Item 8 of NRC Form 313 to letter dated March 12, 2012, requires that before using licensed materials, authorized users will have successfully completed one of the training courses described in Criteria in the section entitled "Training for Individuals Working in or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, dated November 2001.

Contrary to the above, training records which documented that authorized users have successfully completed one of the training courses described in Criteria in the section entitled "Training for Individuals Working in or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, dated November 2001 were not available.

This is a Severity Level IV violation (Section 6.3.d.3).

Pursuant to the provisions of 10 CFR 2.201, GM2 Associates, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, 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, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, 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 to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.



Notice of Violation  
GM2 Associates Inc.

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Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated this 30 day of April 2013