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

July 2, 2013

Patricia A. Dorval
Inland Code Inspection
& Consultation Services, LLC
76 Lightning Peak Road
Sandpoint, Idaho 83864

SUBJECT: NRC INSPECTION REPORT NO. 030-37481/11-001 AND INVESTIGATION REPORT NO. 4-2011-063

Dear Ms. Dorval:

This refers to the U.S. Nuclear Regulatory Commission (NRC) inspection and investigation conducted from November 2, 2011, through February 28, 2013. The inspection and investigation were conducted to review whether a portable gauge owned by Inland Code Inspection & Consultation Services, LLC (ICICS) was stored in accordance with NRC regulations. An NRC inspector and investigator interviewed you in Mt. Vernon, Washington, on November 2, 2011, and they inspected the storage location for your portable gauge on November 3, 2011. The inspection results were discussed with you during a telephonic (preliminary) exit briefing on February 28, 2013, and a final exit briefing on June 26, 2013. This report presents the results of the inspection.

Based on the information developed during the inspection and investigation, the NRC has determined that no violations of NRC requirements occurred. As documented in NRC's letter dated January 24, 2012 (ML12024A435), the Conference of Radiation Control Program Directors arranged for your gauge to be transferred to an authorized portable gauge broker on April 13, 2012.

During the telephone call on June 26, 2013, you stated that you are not in possession of any licensed materials, and you again indicated that you no longer require an NRC materials license since you are not in possession of any gauges, and you do not intend to acquire another gauge in the future. As a result, I emailed to you a copy of an NRC Form 314, "Certificate of Disposition of Materials" so you could request the termination of your NRC license. Once we receive the signed form, the NRC can begin taking actions to terminate your license. The NRC has documentation that the gauge was transferred to an authorized recipient in April 2012 (ML13063A208), and you may reference that document in your request to terminate your NRC license.

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 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, a response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction.

Should you have any questions concerning this inspection, please contact me at 817-200-1130 or Mr. Jason Razo at 817-200-1589.

Sincerely,

/RA/

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

Docket: 030-37481
License: 11-29265-01

Enclosure:
Inspection Report 030-37481/11-001

cc w/ encl: Idaho Radiation Control Program Director

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Sincerely,

/RA/

G. Michael Vasquez, Chief
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cc w/encl: Idaho Radiation Control Program Director

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03/27/2013	07/02/2013			

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U.S. NUCLEAR REGULATORY COMMISSION

Region IV

Docket:	030-37481
License:	11-29265-01
Report:	030-37481/11-001
Licensee:	Inland Code Inspection & Consultation Services, LLC
Facilities:	Main Office and Temporary Storage Location
Locations:	Ponderay and Sandpoint, Idaho
Dates:	November 2, 2011, through June 26, 2013
Inspector:	Jason M. Razo, Health Physicist Nuclear Materials Safety Branch A
Approved By:	G. Michael Vasquez, Chief Nuclear Materials Safety Branch A Division of Nuclear Materials Safety
Attachment:	Supplemental Inspection Information

Enclosure

EXECUTIVE SUMMARY

Inland Code Inspection & Consultation Services, LLC
NRC Inspection Report 030-37481/11-001

This inspection and investigation were conducted to review whether a portable gauge owned by Inland Code Inspection & Consultation Services, LLC (ICICS) was stored in accordance with NRC regulations. After the NRC was unable to contact ICICS company officials, the NRC requested that another authorized licensee take possession of the portable gauge. Afterwards, the NRC was able to locate and interview the owner of ICICS. During that interview, the NRC was informed that the company had essentially ceased doing business and the company had been attempting to sell or dispose of the gauge but did not have the funds to dispose of the gauge.

The NRC inspected the authorized storage location for the portable gauge as well as the temporary storage location, and the NRC interviewed individuals involved with the storage of the gauge. Based on the results of the inspection and investigation, the NRC determined that there were no violations of NRC requirements.

With the licensee representative's permission, the Conference of Radiation Control Program Directors (CRCPD) arranged for the permanent transfer of the portable gauge to an authorized service provider for final disposal in April 2012.

Report Details

1 Background (87124)

1.1 Inspection Scope

The NRC reviewed docketed information related to the licensee that was responsible for a portable gauge and its storage, and the NRC interviewed individuals associated with the portable gauge.

1.2 Observations and Findings

A commercial property operator in Ponderay, Idaho, rented facilities to Inland Code Inspection & Consultation Services, LLC. The ICICS owner, who was also the Radiation Safety Officer (RSO), rented an office and a storage closet. The NRC materials license 11-29265-01 authorized use and possession of a portable gauge containing radioactive material. When ICICS ceased using the portable gauge, it was stored in a closet at the authorized address in Ponderay, Idaho.

The property owner had asked the ICICS owner/RSO and ICICS to vacate, and the owner/RSO asked the property owner to let the portable gauge stay in its authorized storage location which was in the closet. The ICICS owner/RSO had informed the property owner that the gauge could not be stored anywhere else other than the location listed on the NRC license. The owner of the property had agreed, pending the owner/RSO's efforts to attempt to sell or transfer the portable gauge. At the ICICS owner/RSO's request, the property owner agreed to ensure that the portable gauge remained locked in the closet in accordance with the instructions from the ICICS owner/RSO.

In September 2011, neither the property owner nor the NRC were able to contact the RSO. As a result, the NRC requested another NRC licensee take possession of the gauge and move the gauge to its facility in Sandpoint, Idaho, to ensure its proper storage. As a result, on September 20, 2011, representatives from James A. Sewell & Associates, LLC, traveled to Ponderay and took possession of the gauge, and transported it to their facility in Sandpoint, Idaho.

2 Radiation Safety Officer Interview (87124)

2.1 Inspection Scope

The NRC was able to locate and interview the ICICS owner/RSO. The interview took place in the state of Washington on November 2, 2011. The purpose of the interview was to gather facts related to the storage of ICICS's portable gauge.

2.2 Observations and Findings

The NRC was eventually able to contact the owner/RSO of ICICS and conducted an interview to discuss the storage arrangements and configuration of the portable gauge owned by ICICS. The owner/RSO stated that, as far as she knew, the portable gauge was being stored in its authorized storage location in Ponderay, Idaho. She stated that it had been a couple years since the gauge was last used and that it had been a few

months since she had visited the office and closet in Ponderay, Idaho.

During the interview, the inspector informed ICICS that the NRC had allowed the transfer of the portable gauge from its authorized storage location in Ponderay to another licensee's facility in Sandpoint, Idaho, after the NRC could not contact the ICICS owner/RSO in a timely manner.

ICICS had been trying to sell or transfer the portable gauge to an authorized recipient, but had been unsuccessful to that point. The owner/RSO had explained to the property owner that the closet was the only place authorized on the license for storage of the portable gauge and that she was not allowed to remove it from the premises after she vacated the office. The owner/RSO stated that the property owner continued to let ICICS keep it locked in the closet pending further attempts to transfer the portable gauge. The owner/RSO was not aware that the NRC license could have been amended to store the gauge at another location after vacating the office space in Ponderay, Idaho.

During the interview with the owner/RSO in November 2011, the owner/RSO stated that the company was interested in any available avenues for transferring the gauge, including assistance from the NRC if possible. She indicated that she did not have a need to use the gauge and would move forward with terminating the license once the gauge was transferred.

2.3 Conclusions

The inspector and investigator interviewed the ICICS owner/RSO at her residence in the state of Washington. The NRC determined that ICICS had attempted to sell or transfer the portable gauge to an authorized recipient, but was unsuccessful. No violations were identified.

3 Portable Gauge Storage Locations and Interviews (87124)

3.1 Inspection Scope

An NRC inspector and investigator interviewed the owner of the property where ICICS had rented an office and where the portable gauge had been stored. They also interviewed the licensee that had taken possession of the portable gauge at the request of the NRC. The inspector reviewed the closet storage location as well as the storage configuration where the portable gauge had been moved.

3.2 Observations and Findings

On November 3, 2011, the inspector and investigator interviewed the office and property owner at their facility in Ponderay, Idaho. The owners corroborated the timeline as described by the ICICS owner/RSO. They verified that the portable gauge had been secured to the floor by a chain inside the locked closet at the licensed storage address.

The property owners informed the NRC that they had received guidance from the RSO on the security expectations for the portable gauge. They knew that it was to remain chained and locked to an eyebolt in the closet, and that the closet was to remain locked. The room in which the closet was located was also routinely locked when not in use. The property owners knew to contact the owner/RSO if there appeared to be a security

issue related to the closet or portable gauge.

The inspector and investigator interviewed the RSO for James A. Sewell & Associates, LLC that was in possession of the ICICS portable gauge at the time of the inspection. He stated that the portable gauge was adequately secured in accordance with 10 CFR 30.34(i) at the time he and the property owners removed it from the closet on September 20, 2011.

The interviews and inspection established that the portable gauge had remained in its assigned storage closet when not in use. There was consensus in the interviews that the closet within the office, and the office, remained locked when authorized personnel were not present.

3.3 Conclusions

Based on the interviews, the inspector determined that the portable gauge had been secured in accordance with the NRC regulations while in the closet.

4 Portable Gauge Transfer

4.1 Inspection Scope

In an attempt to find a final location for the portable gauge originally possessed by ICICS, the NRC requested assistance from the CRCPD.

4.2 Observations and Findings

In November 2011, the NRC initiated communications with the CRCPD to discuss the gauge that was being temporarily stored at NRC licensee James A. Sewell & Associates, LLC's facility in Sandpoint, Idaho. The NRC issued a letter to ICICS on January 24, 2012 (ML12024A435), explaining that unless the company had immediate portable gauge transfer capabilities, the NRC would authorize the CRCPD to identify a waste broker to take permanent possession of the portable gauge. When ICICS did not respond to the letter, the CRCPD began soliciting bids from service providers that were authorized to take possession of the gauge.

A service provider was identified and the portable gauge was transferred from James A. Sewell & Associates, LLC's facility to the service provider on April 13, 2012. The portable gauge service provider ensured that the ICICS portable gauge was tested for contamination and they determined that the sealed sources in the gauge were not leaking at the time of transfer (ML13063A208).

4.3 Conclusions

With ICICS's permission to seek avenues for transferring the gauge during the November 2011 interview, the NRC contacted the CRCPD. The CRCPD facilitated the final transfer of the ICICS portable gauge from its temporary storage location, with James A. Sewell & Associates, LLC, to a portable gauge service provider in April 2012. No violations were identified.

5 Exit Meeting Summary

A telephonic (preliminary) exit briefing was performed with the ICICS owner/RSO on February 28, 2013, to discuss the inspection findings as presented in this report. A final exit briefing was conducted on June 26, 2013. The inspector's findings were acknowledged. No proprietary information was identified.

SUPPLEMENTAL INFORMATION

PARTIAL LIST OF PERSONS CONTACTED

Licensee

P. Dorval, owner/RSO

INSPECTION PROCEDURES USED

87124	Fixed and Portable Gauges

ITEMS OPENED, CLOSED, AND DISCUSSED

Opened

None

Closed

None

Discussed

Termination of NRC license 11-29265-01.

LIST OF ACRONYMS USED

ADAMS	Agencywide Documents Access and Management System
CFR	*Code of Federal Regulations*
CRCPD	Conference of Radiation Control Program Directors
ICICS	Inland Code Inspection & Consultation Services, LLC
ML	ADAMS Mail Library accession number
NRC	U.S. Nuclear Regulatory Commission
RSO	Radiation Safety Officer