



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

November 10, 2014

Docket No. 03036921

License No. 55-31040-01

Julio U. B. King, Sr.  
President  
Virgin Islands Quality Control Services LLC  
P. O. Box 303483  
St. Thomas, USVI 00803

**SUBJECT: NRC INSPECTION REPORT NO. 03036921/2014001, VIRGIN ISLANDS  
QUALITY CONTROL SERVICES LLC, ST. THOMAS, U.S. VIRGIN ISLANDS  
SITE, AND NOTICE OF VIOLATION**

Dear Mr. King:

On October 21, 2014, Todd Jackson of this office conducted a safety inspection at the above address and the Parcel Nos. 128 A, B & C, Subbase, St. Thomas, US, Virgin Islands 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. The findings of the inspection were discussed with Julio U. B. King, II, Radiation Safety Officer (RSO) of your organization 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 one Severity Level IV violation of NRC requirements occurred. The violation involved the failure to perform a leak test as required. A licensed gauge was used on several occasions after expiration of the leak test on October 8, 2014, and through October 21, 2014. When the violation was identified, the RSO agreed not to use the gauge until a current satisfactory leak test result was obtained, and on November 4, 2014, the RSO reported satisfactory results for a leak test taken on October 30, 2014.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. 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 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.

J. King

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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/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 Todd Jackson at 610-337-5308 if you have any questions regarding this matter.

Sincerely,

*/RA/*

Blake Welling, Chief  
Commercial, Industrial, R&D and Academic  
Branch  
Division of Nuclear Materials Safety

Enclosure:  
Notice of Violation

cc: Julio U. B. King, II, Radiation Safety Officer  
Territory of the Virgin Islands

J. King

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Enclosure:  
Notice of Violation

cc: Julio U. B. King, II, Radiation Safety Officer  
Territory of the Virgin Islands

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B. Bickett, ORA, Region I

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**SUNSI Review Complete:** TJackson

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DATE	11/4/14		11/10/14			

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## **NOTICE OF VIOLATION**

Virgin Islands Quality Control Services LLC  
St. Thomas, US Virgin Islands

Docket No. 03036921  
License No. 55-31040-01

During an NRC inspection conducted on October 21, 2014, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition 13.A. of NRC License No. 55-31040-01 requires that sealed sources shall be tested for leakage and/or contamination at intervals not to exceed six months or at 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 certificate of registration for the Troxler 3400 series device possessed by the licensee is No. NC-646-D-130-S and it specifies a leak test frequency of 12 months.

Contrary to the above, as of October 21, 2014, the licensee did not test the sealed sources it possessed for leakage and/or contamination as required by the certificate of registration. Specifically, the most recent leak test for the sources possessed by the licensee was on October 8, 2013, and the sources were used several times between October 9 and 21, 2014, which is more than 12 months since the last leak test.

This is a Severity Level IV violation (Enforcement Policy Section 6.7).

Pursuant to the provisions of 10 CFR 2.201, Virgin Islands Quality Control Services LLC 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.

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.

Notice of Violation

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Virgin Islands Quality Control Services LLC

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 10<sup>th</sup> day of November 2014