

## Stearns, Don

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**From:** Stearns, Don  
**Sent:** Thursday, May 07, 2015 1:59 PM  
**To:** Mike Hudson (mhudson@ats-sd.com)  
**Subject:** Inspection Report  
**Attachments:** American Technical.pdf

Mr. Hudson, attached is the inspection report for the inspection performed on December 8, 2014 and March 16, 2015. If you have any questions, please feel free to call or email.

Thank You

Don Stearns  
USNRC Region IV  
Health Physicist  
817-200-1176

**SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION**

1. LICENSEE/LOCATION INSPECTED:  
American Technical Services, Inc.  
2301 East Rice Street  
Sioux Falls, SD 57103

REPORT NO: 2014-001

2. NRC/REGIONAL OFFICE  
  
U.S. Nuclear Regulatory Commission  
Region IV, 1600 East Lamar Blvd  
Arlington, Texas 76011-4511

3. DOCKET NUMBER  
030-33094

4. LICENSE NUMBER  
40-27465-01

5. DATE OF INSPECTION  
December 8, 2014 and  
March 16, 2015

**LICENSEE:**  
The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- 1. Based on the inspection findings, no violations were identified.
- 2. Previous violation(s) closed.
- 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy to exercise discretion, were satisfied.
- Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(s):

- 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.
  - A. The licensee failed to ensure that each portable nuclear gauge shall have a lock or outer locked container when the gauge is in transport, storage, or not under the direct surveillance of an authorized user in accordance with License Condition 17 of License No. 40-27465-01. Specifically, during the inspection on December 8, 2014, 3 of the 4 gauges did not have the container or the operating mechanism locked while in storage.
  - B. The licensee failed to provide training in the applicable requirements of the Department of Transportation regulations in accordance with License Condition 19 of License No. 40-27465-01 which requires that the licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR 71, "Packaging and Transportation of Radioactive Material." Specifically, between February, 2010, and the date of the inspection on December 8, 2014, the licensee did not provide training for its authorized gauge users as required by Subpart H of 49 CFR 172. Specifically, gauge users last received training on January 30 and February 5, 2007, and transported licensed material after January 2010 to temporary job sites in South Dakota without the required recurrent training required by 49 CFR 172.704(c)(2).

Corrective actions were taken immediately to place locks on the gauges and containers, and to provide the proper Department of Transportation training to the individuals using the gauges.

**Licensee's Statement of Corrective Actions for Item 4, above.**

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE	Mike Hudson	<i>Mike Hudson</i>	6/15/15
NRC INSPECTOR	Don Stearns	<i>Donald L Stearns</i>	5/15/15
BRANCH CHIEF	G. Michael Vasquez	<i>G. Michael Vasquez</i>	6/15/15