



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

August 27, 2015

Mr. Shane McPherson
Radiation Safety Officer
Desert NDT, LLC
dba T&K Inspection and Midwest Inspection Services
P.O. Box 2733
Abilene, TX 79604

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment Number 01 to NRC License Number 42-35224-01 approving your new operating and emergency procedures, as requested. An environmental assessment for this licensing action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14)(vi). You should review this license carefully and be sure that you understand all conditions. You can contact me at 817-200-1132 if you have any questions about this license.

Please note in Section II, 1.2, of your Operating and Emergency (O&E) procedures for industrial radiography, Rev. 0, May 2015 and O&E Addendum II, 1.11, should be updated to include Region IV's new phone number effective December 2012 – 817-200-1100. In addition, please consider adding to your emergency contact in Section II, 1.2 of your O&E procedures and Addendum II, 1.11, NRC Operations Center phone number – 301-816-5100.

Throughout your O&E procedures, you mention "Assistant Radiation Safety Officer (ARSO)". Please note that the NRC does not list an "ARSO" on a license. The Radiation Safety Officer (RSO) is responsible for the overall management of the radiation safety program; identifying radiation safety problems, initiating, recommending or providing corrective actions; verifying implementation of corrective actions; ensuring compliance with the Commission's rules and regulations and conditions of the license. An RSO should actively participate in the day-to-day management of the radiation safety program. Although the performance of certain radiation safety tasks may be delegated by the RSO to other individuals (such as an ARSO), the responsibility for the overall effectiveness of the radiation safety program and for compliance with NRC rules and regulations and conditions of the license reside with the RSO.

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.

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through the NRC's Agencywide Documents Access and Management System (ADAMS). The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/>. Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant. Since the NRC also accepts a letter requesting amendment of an NRC license, the signatory for such a request should also be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available on the following internet address: <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

An electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web site at <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

/RA/

Jacqueline D. Cook, Senior Health Physicist
Nuclear Materials Safety Branch B

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License: 42-35224-01
Control: 586955

Enclosure: As stated