

**TEAM**® Industrial Services, Inc.

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Phone (219) 310-8560

February 12, 2016

U.S. Nuclear Regulatory Commission  
Region IV  
1600 E. Lamar Blvd  
Arlington, Texas 76011-4511

Attention: Mark Shaffer, Director  
Division of Nuclear Materials Safety, Region IV

Subject: Response to an Apparent Violation  
NRC Inspection Report ~~303-35252~~/2015-001, EA-15-258  
NRC License No. 42-32219-01 030-35252 Jev

Dear Mr. Shaffer:

In response to your letter dated January 13, 2016 describing the inspection performed at our Hammond, IN facility and the resulting alleged violation identified, TEAM Industrial Services would like request that final enforcement action concerning the alleged violation be held in abeyance under the following conditions.

- 1) Team Industrial Services requests final enforcement action not be taken at this time allowing us additional time to draft and submit a letter to the Office of General Counsel requesting formal interpretation of 10 CFR 34.47 as it relates to the use of instrumentation, such as the RadEye™, that incorporate the functions of direct reading dosimeter and alarming ratemeter in a single unit. This letter is to be submitted to the Office of General Counsel no later than March 31, 2016.
- 2) Within 15 days of receipt of the response to our request from the Office of General Counsel, Team will provide an appropriate response to the Notice of Violation.
- 3) Until final action is completed, Team radiographic personnel will continue to wear 0-200 mrem direct reading dosimeters and alarming ratemeters as stated in our letter dated December 18, 2015 documenting the immediate corrective actions that were taken as a result of the violation.

Team Industrial Services believes the new technology offered by these devices provides vast improvement in personal monitoring instrumentation and improves our capabilities to maintain exposures as low as reasonably achievable. It is our opinion that these devices, with the advancements in technology, also meet the requirements for personal monitoring as defined in the regulation. For these reasons we are seeking clarification from General Counsel on the use of these devices in relation to the requirements of 10 CFR Part 34.

We are requesting that final enforcement action not be taken at this time affording Team the opportunity to request the additional information and clarification from General Counsel. If however our request to pursue interpretation under 10 CFR 34.5 is denied, a response to the Notice of Violation will be submitted upon written notification of the denial.

If you should require any additional information or should you have any questions regarding this request, please contact me at 219/310-8560 or 219/229-2909.

Sincerely,



David P. Tebo  
Corporate Radiation Safety Officer  
TEAM Industrial Services

Cc: Deborah Piskura – USNRC Region III  
Jason VonEhr – USNRC Region IV  
Earl Banfield – Team Corporate RSM  
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