

Reply to Notice Of Violation

NRC inspection report NO 03038262/2015001

Docket No 03038262

License No 06-31405-01

Violation 1)

10CFR 30.34

Use of a minimum of two physical controls to form a tangible barrier to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

This incident occurred not as a result of lack of training but as a result of lack of enforcement of standard policy. The individual inspector as well as the inspection staff was presented with these findings and instructed to the proper methods of transporting portable gauges. The RSO was also charged with the additional responsibility of conducting spot checks to insure compliance.

Full compliance achieved: Immediately

Violation 2)

10CFR 71.5 (a)

Compliance with DOT regulations in 49 CFR parts 107,171 -180 and 390-397

All cases and gauges were sent for routine maintenance and calibration to the manufacturer's representative with instructions to provide proper placards to replace worn or illegible placards. This violation occurred due to insufficient oversight and or assumption that purchased gauges were properly placarded, the RSO has been made aware of placarding requirements and this has been made part of his inspection process

Full Compliance achieved: Immediately

Violation 3)

49 CFR 177.842 (d)

Improper/neglected blocking and bracing

All inspectors approved for use of portable gauges were instructed in the methods of correct blocking and bracing, this violation occurred not as a result of lack of training but as a result of insufficient oversight of activities. The RSO has been charged with additional responsibilities to conduct spot checks to insure proper protocols as related to blocking and bracing are followed.

Full compliance achieved: Immediately

REC'R 104 12 16 AM 0706

Rec'd in DUMS
04/12/16

Violation 4)

Appendix H NUREG-1556

Portable Gauges to be signed in and out in the gauge utilization log

All inspectors approved for use of portable gauges were instructed in the proper protocols for signing in/ out portable gauges, this violation did not occur due to a lack of training but as a result of operator omission, as stated within the report the RSO monitors this on a daily basis and sternly enforces this requirement. The discussion between the investigator and the laboratory manager included ways in which this requirement can be enforced with additional vigor as well as additional willingness of the inspectors to comply; the inclusion of a monetary reward for the inspector (s) who do not have a corrected violation of this protocol by the RSO was discussed and implemented to encourage willing compliance with a benefit. This violation occurred in the presence of the RSO and management without interference for the benefit of the investigator and was immediately corrected after the technician neglected to sign out the gauge.

Full compliance achieved: Immediately

Violation 5)

Appendix H NUREG 1556

Licensee to perform routine maintenance and cleaning of portable gauges

If any of these violations were to be protested it would be this particular violation. We are of the opinion that this incident was an anomaly as it was unable to be reproduced onsite without extraordinary effort. The shutter being a mechanical assembly is activated by force upon retracting the source rod, apparently this was not closed with sufficient force and remained open when placed in storage. It is not this licensee's policy to encourage technicians to engage in maintenance of portable gauges other than process that do not require partial disassembly such as occasional wire brushing of base and light lubrication of rod and handle from above the gauge. This type of maintenance is conducted by appropriate entities during servicing and calibration periods. As a result of this violation the manager and RSO engaged in a conversation with the investigator as to the manner in which such an inspection can be accomplished without placing the operator in any type of jeopardy. The results of that conversation lead to an instructional class for all technicians in the method to assure that the shutter is closed upon retraction of the rod and that in the event there is any type of malfunction of any component the portable gauge is to be red tagged, taken out of service, and arrangements for the proper entity to perform corrective or repair actions on that gauge before it is returned to service.

Full compliance achieved: Immediately

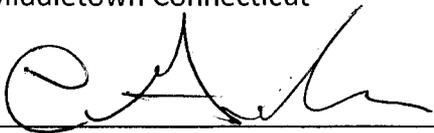
HAKS is of the opinion that the investigation of licensee activities was fair and professional, useful for avoidance of future violations and a valuable instructional tool to enforce the value and seriousness of required protocols, we take no exceptions to the findings and appreciate the agency's exercise of enforcement discretion

Respectfully Submitted

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For:

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