



FMC & Associates, LLC.

April 15, 2016

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

CC:  
Regional Administrator  
Region I  
2100 Renaissance Boulevard  
King of Prussia, PA 19406

**Re: Response to Apparent Violations in Inspection Report No. 0307848/2015001;  
EA-16-054.**

**NRC 1:**

Failure to use a minimum of two independent physical controls to secure portable gauges from unauthorized removal, a violation of 10 CFR 30.34(i). (Section IV)

**FMC Response:**

FMC & Associates, LLC (FMC) conducted a nuclear gauge safety training on March 10, 2016 which reviewed the necessary use of two independent physical controls to secure portable gauges from unauthorized removal. FMC has supplied 3' metal chains and safety padlocks for all certified nuclear gauge users.

**NRC 2:**

Failure to comply with the terms and conditions of the license for confining its possession of byproduct material to the activity limits authorized in the license. (Section III)

**FMC Response:**

FMC submitted a formal request to add Nuclear Gauge #10 Troxler 46-40-B, Serial No. T2055 to be add to the NRC License Agreement on August 31, 2015.

**NRC 3:**

Failure to comply with the terms and conditions of the license for conducting a physical inventory of licensed material every six months, a violation of License Condition 15. (Section II)

**FMC Response:**

FMC has begun a physical inventory tour on a monthly basis starting from June 16, 2015 through April 7, 2016.

**NRC 4:**

Failure to review the radiation protection program content and implementation at least annually, a violation of 10 CFR 20.1101. (Section II)

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FMC & Associates, LLC.

**FMC Response:**

FMC has performed the annual review of the radiation protection program content and implementation in April 2016.

**NRC 5:**

Failure to comply with the terms and conditions of the license for providing annual refresher training to its authorized gauge users. (Section II)

**FMC Response:**

FMC provided nuclear gauge training in the years 2011, 2012, 2013, 2015 and 2016. Nuclear gauge training was not held in the year 2014.

**NRC 6:**

Failure to comply with the terms and conditions of the license for ensuring that individual exposure records were properly reviewed and maintained. (Section II)

**FMC Response:**

Exposure records are now being reviewed by the RSO every quarter of the year. Exposure records are posted in the nuclear gauge room for review.

**NRC 7:**

Failure to comply with the terms and conditions of the license for transporting licensed material, regarding marking and labeling a package, a violation of 10 CFR 71.5. This is a repeat violation. (Section IV)

**FMC Response:**

FMC has updated the Bill of Lading so that it accurately reflects the number of micro curies and radioisotopes released per unit.

Respectfully,

FMC & Associates, LLC

A handwritten signature in black ink, consisting of several vertical strokes and a horizontal line at the bottom, representing Fadil M. Abdelfatah.

Fadil M. Abdelfatah, P.E.  
Principal

A handwritten signature in black ink, featuring a large, stylized initial 'K' followed by a series of loops and a final vertical stroke, representing Kaleab Desta.

Kaleab Desta, E.I.T.  
Radiation Safety Officer