



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

December 30, 2016

Docket No. 03035769
EA-16-233

License No. 45-25569-01

Marianne H. Skeens
President
Well Data Services, Inc.
P.O. Box 7
Vansant, VA 24656

SUBJECT: NRC INSPECTION REPORT NO. 03035769/2016001, WELL DATA SERVICES, INC., OAKWOOD, VIRGINIA SITE AND NOTICE OF VIOLATION

Dear Ms. Skeens:

On August 23, 2016, through December 16, 2016, Michael Reichard of this office conducted a safety inspection at your Oakwood, Virginia site. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with you at the conclusion of the inspection on December 16, 2016.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation involved a failure to have a Radiation Safety Officer (RSO), nor an employee qualified to be RSO. Based on the circumstances of the case, the NRC determined that the violation was appropriately assessed at SL IV because: (1) no material was stored; (2) no licensed activities were being conducted in NRC jurisdiction; and, (3) if work had been performed, the work would have been assigned to the RSO, alerting the licensee to the fact that he had left his position.

It is important for licensees to maintain awareness of the requirements of their radiation safety programs. Please ensure that your program is being monitored to avoid similar violations in the future.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC. Also, the violation as listed in the Notice is a repeat violation that was identified during a previous inspection of your licensed program. Although we verified that you took corrective actions to address the previous violation, the current violation is of concern, because your actions were not effective in preventing recurrence.

During our inspection exit meeting on December 16, 2016, you indicated that you have taken corrective and preventative actions to address the violation and that Well Data Services, Inc. is committed to radiation safety and to compliance with NRC regulations and licensed conditions.

Further, you stated verbally that you have taken the following actions:

- 1) As an immediate corrective action, you submitted an amendment request to change the RSO. It was received by the NRC on October 26, 2016, and
- 2) As a comprehensive corrective action, you committed to conducting biweekly meetings with your Radiation Safety Officer to ensure that you are informed on the status of the radiation safety program and to ensure the Radiation Safety Officer is performing his or her duties.

The NRC concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed. Therefore, you are not required to respond to this letter unless the description of your corrective actions in this letter does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

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/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.

Current NRC regulations and guidance are included on the NRC's Web site at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's Web site at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

M. Skeens

3

Please contact Michael Reichard at 610-337-6945 if you have any questions regarding this matter.

Sincerely,

/RA/

Blake D. Welling, Chief
Commercial, Industrial, R&D and
Academic Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc: Commonwealth of Virginia

M. Skeens

3

Please contact Michael Reichard at 610-337-6945 if you have any questions regarding this matter.

Sincerely,

/RA/

Blake D. Welling, Chief
Commercial, Industrial, R&D and
Academic Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc: Commonwealth of Virginia

DISTRIBUTION:
BBickett, RI
Mburgess, NMSS
Swood, OE/EB

DOCUMENT NAME: G:\WordDocs\Current\Insp Letter\L45-25569-01.2016001.doc

SUNSI Review Complete: Mreichard

ML17004A199

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	OE/RI	N	DNMS/RI	N		
NAME	MReichard/bw for		CCrisden/cg		BWelling/bw			
DATE	12/19/16		12/20/16		12/30/16			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Well Data Services, Inc.
Vansant, VA

Docket No. 03035769
License No. 45-25569-01
EA-16-233

During an NRC inspection conducted on August 23, 2016, through December 16, 2016, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition 11 of NRC License 45-25569-01, dated January 12, 2015, authorizes a specific individual to fulfill the duties and responsibilities of the Radiation Safety Officer (RSO) for the license.

Contrary to the above, from August 23, 2016, until October 26, 2016, the named individual, specifically authorized in Condition 11 of the license to fulfill the duties and responsibilities as an RSO, was not employed by the licensee and did not fulfill the responsibilities of the RSO. Specifically, the individual resigned his position with Well Data Services, without notice, prior to August 23, 2016, and a license amendment request for a change of Radiation Safety Officer was not submitted until October 26, 2016.

This is a Severity Level IV violation (Enforcement Policy Section 6.3).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance was achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you chose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 30th day of December 2016