



Premier Technology, Inc.
1858 West Bridge St.
Blackfoot, Id 83221

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February 1, 2017

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

SUBJECT: RESPONSE TO AN APPARENT VIOLATION, PUBLIC ENCLOSURE: NRC INSPECTION REPORT 030-36173/2015-001 AND 030-36173/2016-001

To Whom It May Concern,

This letter is in response to US NRC letter EA-16-191, dated January 13, 2017 and NRC inspection reports 030-36173/2015-001, dated May 19 and 22, 2015 and 030-36173/2016-001, dated July 14, 2016. This correspondence is to address the apparent violations from the above inspections. They will address each violation with the following: (1) code and program violation, (2) reason for apparent violation or basis for dispute, (3) corrective steps that have been taken to correct apparent violation, and (4) the date that the apparent violation was achieved.

Based on the above inspection reports, Premier Technology, Inc. is and has taken every effort to address the violations and taken appropriate actions to prevent recurrence. The following Attachments 1-4 contain the apparent violations and Premier Technology, Inc.'s response for each. If you or your staff have any questions, please contact me at (208) 782-9177.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shelly Sayer".

Shelly Sayer
Chief Executive Officer

Attachments 1-4

cc:
Mark R. Shaffer, Director
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission, Region IV
1600 East Lamar Blvd., Arlington, TX 76011-4511



Attachment 1

Apparent violation of 10 CFR 34.47(b)

030-36173/2015-001-01

Code Violation: 10 CFR 34.47(b) states that direct reading dosimeters such as pocket dosimeters or electronic personal dosimeters, must be read and the exposures recorded at the beginning and end of each shift.

Clarification: On May 18, 2015, radiographers maintain that readings before and after the shift were recorded. On May 19, 2015 the inspector noticed that the dosimeter that was used the day prior was drifting and concluded that "Had the licensee recharged and read the pocket dosimeter at the beginning of the shift, it would have been apparent that the pocket dosimeter was not operational due to the excessive drift." The radiographer does not know at what point the dosimeter was broken, therefore does not want to assume that the dosimeter was or was not broken on the prior days shift. Neither radiographer recalls making the statement "that the dosimeter was not read at the beginning and the end of the shift." However, at the conclusion of the inspection on May 19, 2015, the radiation safety officer (RSO) immediately took the broken pocket dosimeter out of service.

Corrective Action: No corrective action needed at this time.

Date of Compliance: N/A



Attachment 2

Apparent violation of 10 CFR 34.47(a)

030-36173/2015-001-02

Code Violation: 10 CFR 34.47(a) states a licensee may not permit any individual to act as a radiographer or a radiographer's assistant, unless at all times during radiographic operations, each individual wears, on the trunk of the body, a direct reading dosimeter, an operating alarm rate meter, and a personal dosimeter.

Reason: The RSO mistakenly assumed that because the Redeye could be used as a rate meter and a survey meter that he could take it off the trunk to use as a survey meter then replace it to serve as a rate meter once again.

Corrective Action: Retraining was conducted to the following excerpts of Premier Technology, Inc.'s Operating and Emergency Procedures Manual (OEPM) which are written in accordance with 10 CFR 34.47(a). The Sentinel RadEyeG will only be used as an alarm rate meter, which will be located on the trunk of the body.

Section 3 Operating Procedures

3.0 "Daily inspections are the actions taken by the RADIOGRAPHER to assure that the radiographic equipment is in good working order."

3.3 "Survey instruments require calibration every six months (180) days. DO NOT use any survey instrument with an expired calibration. Inspect the instrument each time, before use, to assure the instrument functions properly and is calibrated."

8.1 "Prior to working with any radioactive material, an individual will be provided with:

- *Access to Operating and Emergency Procedures*
- *Pocket Dosimeter*
- *TLD Badge*
- *Alarming Rate Meter*
- *Survey Instrument (meter)"*

Objective evidence has been attached for your convenience. Attachment 2 (a) is evidence that training was conducted to Premier's manual (Section 3: 3.0, 3.3, & 8.1), which is in accordance to 10 CFR 34.47(a). The training was completed when found to be out of conformance, and subsequent to receipt of NRC letter EA 16-191.

Date of Compliance: Compliance to 10 CFR 34.47(a) was achieved May 20, 2015 and was verified by the inspector to be compliant on May 22, 2015 and July 14, 2016.



Training Attendance List

Training Conducted By: Darrin Carter Date: 1/20/2017

Position: RSO

Topic: Section 3: 3.0, 3.3, & 8.1 Hours: 0.5

Printed Name	Signature
<i>Colin Hill</i> <i>Calch Hillman</i>	<i>Colin Hill</i>
<i>Taylor Southwick</i>	<i>TS</i>
<i>Darrin Carter</i>	<i>Darrin Carter</i>
<i>Bob Gaarland</i>	<i>Bob Gaarland</i>



Attachment 3

Apparent violation of 10 CFR 34.47(g)(2)

030-36173/2015-001-03

Code Violation: 10 CFR 34.47(g)(2) states that each alarm rate meter must be set to give an alarm signal at a preset dose rate of 5mSv/hr (500 mrem/hr).

Reason: The radiographer mistakenly assumed that the rate meter was set at 500 mrem at the factory and did not know that the settings could be changed.

Corrective Action: The RSO reset the alarm rate meter to alarm at 5mSv/hr (500 mrem/hr). Training was conducted to the following excerpts of Premier Technology, Inc.'s Operating and Emergency Procedures Manual (OEPM) which are written in accordance with 10 CFR 34.47(g)(2).

Section 3 Operating Procedures

8.3 "All personnel, working in a radiation area, shall have on their person an Alarming Rate Meter that will audibly alarm when placed in a radiation field of 500 mrem/hr. or greater. Personnel shall not work in a radiation area without an Alarming Rate Meter. Alarming Rate Meters shall be checked prior to beginning a shift to assure proper functioning of the instrument. If the Alarming Rate Meter does not properly function, replace the Alarming Rate Meter before work performance."

Objective evidence has been attached for your convenience. Attachment 3 (a) is evidence that training was conducted to Premier's manual (Section 3: 8.3), which is in accordance to 10 CFR 34.47(g)(2). The training was completed when found to be out of conformance and subsequent to receipt of NRC letter EA 16-191.

Date of Compliance: Compliance to 10 CFR 34.47(g)(2) was achieved May 20, 2015 and was verified by the inspector to be compliant May 22, 2015 and July 14, 2016.







Training Attendance List

Training Conducted By: Darrin Carter Date: 1/20/2017

Position: RSO

Topic: Section 3: 8.3 Preset alarming rate meter at 5MSv/hr Hours: 0.5

Printed Name	Signature
Caleb Killian	
Taylor Southwick	
Darrin Carter	
Bob Gaansland	



Attachment 4

Apparent violation of 10 CFR 71.5(a)

030-36173/2015-001-04

Code Violation: 10 CFR 71.5(a) states that each licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, shall comply with the applicable requirements of the U.S. Department of Transportation regulations in 49 CFR Parts 107, 171 through 180, and 390 through 397, appropriate to the mode of transport. 49 CFR 177.817(a) states that a person may not transport a hazardous material by highway unless that person has received a shipping paper prepared in accordance with 49 CFR Part 172.

Reason: This was the first job that Premier Technology, Inc. was hired to perform off site. They took the source off site on five occasions between February 26, 2015 and May 18, 2015. Premier Technology, Inc. was undergoing changes within the radiography department which consisted of a change in RSOs. Due to this change, the RSO was not aware of the shipping papers needed to be completed.

Corrective Action: The RSO developed and prepared shipping papers on May 20, 2015 for the transport of Class 7 (radioactive) hazardous materials by public highway. Training was conducted to the following excerpts of Premier Technology, Inc.'s Operating and Emergency Procedures Manual (OEPM) which are written in accordance with 10 CFR 71.5(a).

Section 3 Operating Procedures

Attachment 1 (OEPM) provides direction on how to transport radioactive material (see attachment 4 (a))

Form PTI RS-6 Radioactive Material Shipping Report (see attachment 4 (b))

Objective evidence has been attached for your convenience. Attachment 4 (c) is evidence that training was conducted to Premier's manual (Section 3: attachment 1 & Form PTI RS-6) which is in accordance to 10 CFR 71.5(a). The training was completed when found to be out of conformance and subsequent to receipt of NRC letter EA 16-191.

Date of Compliance: Compliance to 10 CFR 71.5(a) was achieved May 20, 2015 and was verified by the inspector to be compliant May 22, 2015 and July 14, 2016.

ATTACHMENT 1**TRANSPORTATION OF RADIOACTIVE MATERIALS****1.0 SCOPE**

This procedure provides definitions and instruction on the safe transport of radioactive materials while under the control of Premier Technology Inc. (PTI). This procedure also contains instructions associated with overnight stops and time away from the permanent storage area in Blackfoot, Idaho.

2.0 PROCEDURES

- 2.1 The exposure devices utilized by PTI are approved shipping containers. When transporting these devices, the Radiographer is required to follow these instructions.
- 2.2 Assure that the transport of radioactive materials, by a vehicle, are conducted by licensed commercial carriers or by vehicles approved by the RSO. These vehicles are the only vehicles to be used for PTI licensed materials.
- 2.3 Assure that the transport of radioactive materials, by a vehicle, are conducted by licensed commercial carriers or PTI employees that have a current drivers license.
- 2.4 Retrieve the exposure device from the storage area.
- 2.5 Survey the exposure device from the storage area.
- 2.6 Verify that the exposure device to assure that the source is in the safe shielded position inside the device.
- 2.7 When shipping by commercial carrier, place the exposure device in the shipping over pack and monitor the over pack to assure no excessive levels of radiation exist. The Radiographer shall follow the instructions contained in Section 2.0 paragraph 2.9 and the documentation required by this paragraph.
- 2.8 When shipping by PTI vehicle with a darkroom, place the exposure device in the storage area of the darkroom and lock the access door. Close and lock the darkroom door and verify the "Caution - Radioactive Material" sign is on the darkroom door. Assure that the alarm system for the vehicle is activated whenever the vehicle is unattended.

Securing and locking the darkroom door is accomplished by using the deadbolt lock. The doorknob lock may also be used for additional security. The darkroom is to be kept locked until arrival at the job-site. The Radiographer shall complete Form PTI RS-6 prior to shipping the source.

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2.9 The Radiographer shall survey the packaged source (vehicle) at one (1) meter from the surface of the container to obtain the Transport Index (TI). Survey the outside of the vehicle (all accessible sides) to assure that radiation levels do not exceed 2MR/HR at eighteen (18) inches from any exterior surface or in the driver's compartment. If radiation levels exceed the above limits, add additional shielding material or re-position the source to comply.

2.10 A radiation emergency could occur by:

- Unauthorized persons tampering with your equipment
- Another vehicle striking your vehicle
- A moving traffic accident

Observing the following guideline can minimize the chances of these emergencies occurring:

- Make sure your vehicle is locked
- Park in well lighted areas
- Do not park on streets carrying heavy traffic
- Do not become over-tired while driving and be a conservative driver when transporting radioactive materials

2.11 The keys to your vehicle give you control over the radioactive material during transport. DO NOT loan or turn over your keys to persons other than:

- PTI qualified/certified Radiographers
- The PTI ARSO
- THE PTI RSO
- Another PTI employee during the time you are personally with the vehicle.

DO NOT hide a spare key in or around the vehicle.

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Shipment of Quantities of Radioactive Materials

Ship To:	
Address:	
Licence No.:	
Contact Person:	
Phone:	

Room:	
Address:	
Licence No.:	
24 Hour Contact Persons:	Darrin Carter 208-821-5113 Bob Garstland 208-530-1386
Phone:	

Radioactive Material, Type A Packages, Special form non-flammable	Isotope(s)	Quantity (TBq/Si)	Container, Model, Serial No. Holder/Canine No.	Quantity and Type of Package	Label (Check One)	Transport Index
Class 7 Radioactive Material RQ UN2916					<input type="checkbox"/> White I <input type="checkbox"/> Yellow II <input type="checkbox"/> Yellow III	N/A

Contamination: _____ **Survey Results:** _____

Wipe Results in DPM/300 cm2		Exposure: mR/hr at Surface mR/hr at 1 meter (white I - <= 0.5 @ surface, bkg @ 1 m) (yellow II - 0.5-50 @ surface, <1 @ 1m)
Instrument Used: (must be less than 6600 dpm in 300 cm2 swipe)		
Condition of Package:		

Shipper's Certification: _____

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Signature: _____ Date: _____
 Emergency Response Number: _____
 Shipment of Radioactive Materials Rev. 0

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Training Attendance List

Training Conducted By: Darrin Carter Date: 1/20/2017

Position: RSO

Topic: OEPM Section 3 Attachment 1 & Form PTI RS-6 Hours: 0.5

Printed Name

Signature

Caleb Killian
Taylor Southwell
Darrin Carter
Bob Gaarsland

Caleb Killian
Taylor Southwell
Darrin Carter
Robert Gaarsland