

**SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION**

**1. LICENSEE/LOCATION INSPECTED:**

William H. Smith and Associates, Inc.  
550 E. 2nd North Street,  
Green River, Wyoming

**2. NRC/REGIONAL OFFICE**

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

REPORT NO.:

2017-001

**3. DOCKET NUMBER**

030-38924

**4. LICENSE NUMBER**

49-35308-01

**5. DATE(S) OF INSPECTION**

May 22 - 23, 2017

**LICENSEE:**

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- ☐ 1. Based on the inspection findings, no violations were identified.
2. Previous violation(s) closed.
3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy to exercise discretion, were satisfied.

Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(s):

- ☒ 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

10 CFR 30.34(l) requires that each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

Contrary to the above, on May 22, 2017, the licensee did not use a minimum of two independent physical controls that formed tangible barriers to secure a portable gauge from unauthorized removal, when the portable gauge was not under the control and constant surveillance of the licensee. Specifically, the gauge had only one independent physical control to prevent unauthorized removal and was not under the control and constant surveillance of the gauge user, who left the immediate area of the temporary storage location for three minutes.

The licensee immediately corrected the violation by adding a second physical control to form another tangible barrier to prevent unauthorized removal, in case of another occasion when the portable gauge may not be under the control and constant surveillance of the user.

**Licensee's Statement of Corrective Actions for Item 4, above.**

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE	William Dolinar	<i>William Dolinar</i>	5/31/17
NRC INSPECTOR	Jason C. Dykert	<i>Jason C. Dykert</i>	5-31-2017
BRANCH CHIEF	Vivian H. Campbell	<i>Vivian H. Campbell</i>	6/27/2017

NRC FORM 581M PART 1

☐

Non-Public

☐

Sensitive - Security-Related

☒

Public

☒

Non-Sensitive

## Dykert, Jason

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**From:** Dykert, Jason  
**Sent:** Wednesday, May 31, 2017 10:35 AM  
**To:** [REDACTED]  
**Subject:** NRC inspection report 2017-001  
**Attachments:** NRC inspection report 2017-001.pdf

Mr. Dolinar,

Attached is the inspection report for my May 22 and 23 inspection, as we discussed over the phone during the exit meeting today. Your radiation safety program appeared to be setup well, and this issue appeared to be just a misunderstanding of the regulation because the gauge user thought the two locks used to secure the gauge were two independent barriers.

If you could sign and return the report to me, I would appreciate it. No further actions are required, and the NRC will review this issue during the next routine inspection, which will be unannounced but should take place approximately 5 years from now.

If you have any questions, please let me know,

Jason C Dykert  
Health Physicist, Inspection Branch  
US NRC, Region IV  
(817) 200 - 1427

