



07/06/17

Regional Administrator
US Nuclear Regulatory Commission, Region IV
Division of Nuclear Materials Safety
Materials Licensing and Inspection Branch
1600 East Lamar Boulevard
Arlington, TX 76011-4125
Attn: Jason.Dykert@nrc.gov

Re: Reply to a Notice of Violation
Notice of Violation dated May 25, 2017
Docket No: 030-37887
License No: 25-29317-01

- A. *License Condition 12 of NRC Materials License 25-29317-01, Amendment No. 2 dated June 26, 2015, identified a named individual as the radiation safety officer for this license.*
Contrary to the above, from August 13, 2015 to April 26, 2017, the individual named as radiation safety officer in License Condition 12 of NRC Materials License 25-29317-01, Amendment No. 2 dated June 26, 2015, was no longer employed by the licensee. Specifically, after the individual named on the license was no longer employed, the licensee assigned another qualified individual to be the radiation safety officer but failed to submit a license amendment request to the NRC so the qualifications of the individual could be reviewed.
This is a Severity Level IV violation (Section 6.3.d.8)

CTA Response: CTA has now submitted and received confirmation from the NRC (specifically Jackie Cook, Senior Health Physicist) on May 16, 2017 that Caleb Minnick has been named the current RSO. To ensure that in the future if the RSO position were to be held by another individual proper notice is given to the NRC, George Bornemann (Surveying Group Head and Livingston Office Manager), has been tasked with helping additionally oversee the Radiation Safety Program at CTA.

- B. *License Condition 13 A of NRC Materials License 25-29317-01, Amendment No. 2 requires, in part, that sealed sources be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under Title 10 of the Code Federal Regulations (CFR) Part 32.210.*
Contrary to the above, from April 3, 2015 until April 26, 2017, the licensee failed to test sealed sources for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the NRC under 10 CFR Part 32.210.

*Specifically, the licensee failed to leak test a Seaman C-300 portable nuclear gauge at least every 6 months as required by the certificate of registration.
This is a Severity Level IV violation (Section 6.7.d.4)*

CTA Response: A current leak test was performed on May 3rd, 2017, a copy of which is attached to this response document. To ensure no further lapses in the leak testing schedule, George Bornemann (in addition to the RSO, Caleb Minnick) has also been notified of dates for which leak testing needs to be completed.

- C. *10 CFR Part 71.5(a) requires 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, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 107, 171 through 180, and 390 through 397, appropriate to the mode of transport.*

49 CFR 172.704(a) specifies the elements of hazmat employee training as: (1) general awareness/familiarization training; (2) function-specific training; and (3) relevant training. 49 CFR 172.704 (c)(2) requires, in part, that a hazmat employee receive recurrent training at least once every three years.

Contrary to the above, from June 6, 2013 to April 26, 2017, the licensee failed to provide the recurrent training that satisfied the DOT requirements in Subpart H to 49 CFR Part 172 for its hazmat employees at least once every three years. Specifically, employees who transported hazardous class 7 materials had not received recurrent training since June 6, 2013, which on the date of inspection was a period that exceeded the three-year required interval.

This is a Severity Level IV violation (Section 6.3.d.4)

CTA Response: In May/June of 2017 all authorized users refreshed or obtained their DOT HAZMAT training. Copies of all certifications are attached to this response document. In addition to the HAZMAT recertification, the RSO held a 2 hour Radiation Safety Program Refresher for the four authorized users to review all pertinent aspects of gauge use, safety, transporting, etc. In addition to the yearly audit, this in house refresher will contain to be provided as a part of the Radiation Safety Program at CTA.

- D. *10 CFR 20.1101 (c) requires that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.
Contrary to the above, from August 13, 2015, to April 26, 2017, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, annual audits of the program were not completed after the RSO identified in License Condition 12 of NRC Material License 25-29317-01, Amendment No 2 dated June 26, 2015, was no longer employed by the licensee.
This is a Severity Level IV Violation (Section 6.3.d)*

CTA Response: Due to the change in RSO duties two audits were indeed missed in 2015 and 2016. In order to remedy this, the newly appointed RSO completed the 2017 Audit on 5/14/17. A copy of the audit is attached. All of the violations notified in this letter are also similarly noted in the audit with corrective actions also detailed.

If any further information is required on our part to rectify these violations please do not hesitate to let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Caleb Minnick', with a long horizontal flourish extending to the right.

Caleb Minnick, PE, RSO
CTA Inc.

cc:
CTA File -