



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

August 11, 2017

Mr. Troy Lindsay
Radiation Safety Officer
Strata, Inc.
8653 West Hackamore Drive
Boise, ID 83709

SUBJECT: NRC INSPECTION REPORT 030-32206/2017-001 AND NOTICE OF VIOLATION

Dear Mr. Lindsay:

This letter refers to the unannounced inspection conducted on June 26, 2017, at your facility in Casper, Wyoming. The inspection was an examination of activities conducted under your license as they relate to public health and safety, to confirm compliance with the U.S. Nuclear Regulatory Commission's (NRC) rules, regulations, and with the conditions of your license. Within these areas, the inspection consisted of a selected examination of procedures and representative records, observations of activities, and interviews with personnel. The preliminary inspection findings were discussed with you and Mr. Mark Peloquin at the conclusion of the onsite portion of the inspection on June 26, 2017. A final telephonic exit briefing was conducted with you on July 31, 2017.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy, which can be found at the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited and described in the enclosed Notice of Violation (Notice). The violation involved the failure to provide U.S. DOT hazmat refresher training at least every three years to personnel transporting Class 7 (radioactive) hazardous materials. This violation was cited in Inspection Report 030-32206/2015-001, and based on the inspector's review of the Casper office and the documents available at the time, this violation was not corrected program wide nor were the initial corrective actions that were originally committed to fully implemented.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful in preparing your response. You can find the Information Notice on the NRC website at: <http://pbadupws.nrc.gov/docs/ML0612/ML061240509.pdf>. 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 will be (was) achieved should be addressed. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the Public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, please provide a

bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such information, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by Title 10 of the *Code of Federal Regulations* (CFR) 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions regarding this letter or the enclosed Notice, please contact Jason vonEhr at 817-200-1186, or the undersigned at 817-200-1455.

Sincerely,

/RA/

Vivian H. Campbell, Chief
Materials Licensing and Inspection Branch
Division of Nuclear Materials Safety

Docket: 030-32206
License: 11-27320-01

Enclosure:
Notice of Violation (Notice)

cc: M. Dietrich, State of Idaho

NRC INSPECTION REPORT 030-32206/2017-001 - DATED AUGUST 11, 2017.

DISTRIBUTION:

S. Morris, DRA

M. Shaffer, D/DNMS

L. Howell, DD/DNMS

R4DNMS_MLIB

R. Erickson, SAO/DNMS

B. Tharakan, SAO/DNMS

B. Maier, SLO/ORA

ADAMS ACCESSION NUMBER: ML17214A097

X SUNSI Review

ADAMS:

☐ Non-Publicly Available**X** Non-Sensitive

Keyword:

By: **JEV****X** Yes ☐ No**X** Publicly Available☐ Sensitive

NRC-002

OFFICE	DNMS:MLIB	DNMS:C:MLIB				
NAME	JEvonEhr	VHCampbell				
SIGNATURE	/RA/	/RA/				
DATE	08/03/17	08/11/17				

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Strata, Inc.
Boise, Idaho

Docket No. 030-32206
License No. 11-27320-01

During an NRC inspection conducted on June 26, 2017, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 71.5(a) requires, in part, 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 172.704(c)(2) requires, in part, that a hazmat employee must receive the training required by 49 CFR Part 172, Subpart H, at least once every three years.

Contrary to the above, as of March 20, 2015, the licensee failed to provide hazmat employees the training required by 49 CFR Part 172, Subpart H, at least once every three years. Specifically, between March 20, 2015 and June 12, 2017, two licensee employees transported Class 7 (radioactive) hazardous material on numerous occasions outside of the site of usage, as specified in the NRC license, and the employees last received the required training on March 20, 2012, a period greater than three years.

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

Pursuant to the provisions of 10 CFR 2.201, Strata, Inc., is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region IV, 1600 E. Lamar Blvd., Arlington, Texas 76011, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued requiring information as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management 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 or proprietary information so that it can be made available to the public without redaction. If personal privacy

Enclosure

or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

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

Dated this day August 11, 2017.