

INDO AMERICAN ENGINEERING, INC.

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August 16, 2017

Mr. Scott Morris, Deputy Regional Administrator
Ms. Vivian Campbell, Chief, Materials Inspection and Licensing Branch
U.S. Nuclear Regulatory Commission
Region IV
1600 East Lamar Blvd.,
Arlington, TX 76011-4511

License Number: 49-27701-01

Docket No.: 030-35704

SUBJECT: RESPONSE TO RESPONSE TO DISPUTED NOTICE OF VIOLATION; NRC INSPECTION
REPORT 030-35704/2016-001 AND NOTICE OF VIOLATION; EA-16-280

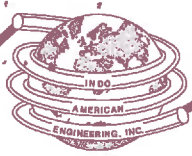
Dear Mr. Morris and Ms. Campbell:

This letter is in response to the **unannounced** inspection conducted on September 14, 2016, conference call on February 7, 2017 with Mr. Mark R. Shaffer, Director & Ms. Martha Poston-Brown and Mr. Mark R. Shaffer, Director & Ms. Martha Poston-Brown letter dated February 14, 2017 and response to disputed notice of violation dated 8-9-17.

I am not in agreement with violation number one because there was more than two independent physical controls that is (1) I am the only person was in the building and only upper level open door is in my direct observations numerous ways (such as cameras, videos, etc.) therefore, according to me, I am not under violation of Title 10 of the code of Federal Regulations (10CFR) 30.34 (i). I think your inspector did not evaluate the conditions before she left our premises or ask questions to clarify the conditions.

In addition, I am not in agreement with the statement made in your letter stating that "However, on the day of the inspection, the gauges were not secured for a period of time and input from the video surveillance system was not being monitored." Once again, because all the gauges were **under constant surveillance (1000%) inside a locked cupboard and/or whole building under the surveillance camera, motion detector and recording video to prevent from any unauthorized access to anyone.** In addition, the said security system is also monitored by the Diebold security agency. Therefore, the gauges were under constant surveillance system on the day of inspection.

Once again, I am not in agreement with the second violation, as I have stated in my earlier correspondence that, the day of unannounced inspection, I was ready to go out to perform compaction test therefore I have checked one gauge having low battery and other was O.K. to use. The gauge inside the locked cupboard was charging with two locks on the gauge case plus cupboard was locked and keys were hidden. Another gauge calibrating in the gauge box was on transport cart and both locks were on the gauge case ready to transport inside locked doors. All the doors were locked and secured except one front door, where we have camera and motion detector so that nobody can enter our premises plus our whole building is under surveillance in previous paragraph.. In addition, I was the only person in the building, I do not have any employees, visitors, and/or clients without an appointment. In other words, gauges were under the direct surveillance under my full control, at all the times. Furthermore, As you know it takes 4 minutes to standardize the gauges and four minutes to calibrate the gauge, and make sure the rod is not struck, etc. upon completion of the standard checking in the our building, I was going to lock the gauges as per the requirements and during this period the gauges were under my direct surveillance constantly as per the requirements. Once again, I think your inspector did not evaluate the conditions before she left our premises or ask any questions to clarify the conditions.



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In other words all three gauges were not only under two physical controls but it is under five to six different ways under the full surveillance. I have repeatedly tried to explain to all concerned parties.

If you have any question, please call us.

Thank you very much for your cooperation and consideration.

Sincerely:

Indo American Engineering, Inc
Dinesh P. Sheth, M.S., PE. Safety Officer

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