



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

March 28, 2018

George E. Pigott, President
George E. Pigott & Associates, Inc.
1 Viking Road
White Hall, WV 26554

SUBJECT: NRC INSPECTION REPORT NO. 03031762/2018001, GEORGE E. PIGOTT & ASSOCIATES, WHITE HALL, WEST VIRGINIA, AND NOTICE OF VIOLATION

Dear Mr. Pigott:

On February 1, 2018, Randolph Ragland, of our King of Prussia, Pennsylvania, office conducted a safety inspection at your White Hall, West Virginia site, of activities authorized by the listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. The inspection continued in-office until March 15, 2018. Additional information provided by you and Bradley Pigott, of your organization, was also examined as part of the inspection, and was discussed during the inspection closeout telephone call on March 15, 2018.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that two violations of NRC requirements occurred. The violations are cited in the enclosed Notice of Violation (Notice), because the violations were identified by the NRC.

During our inspection exit meeting on March 15, 2018, you acknowledged the deficiencies and indicated that George Pigott and Associates, Inc. would take appropriate corrective actions to address the violations and that you are committed to radiation safety and to compliance with NRC regulations and licensed conditions.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," 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 document system (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Current NRC regulations and guidance are included on the NRC's Web Site at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's Web Site at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web Site at: <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

If you have any questions regarding this matter, please contact Randolph Ragland of my staff at 610-337-5083 or via electronic mail at Randolph.ragland@nrc.gov.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur L. Burritt for". The signature is fluid and cursive.

Arthur L. Burritt, Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 030-31762
License No. 47-25105-01

Enclosure:
Notice of Violation

cc: State of West Virginia

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Arthur L. Burritt, Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 030-31762
License No. 47-25105-01

Enclosure:
Notice of Violation

cc: State of West Virginia

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J. Trapp
J. Nick

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SUNSI Review Complete: R. Ragland

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OFFICE	RI:DNMS	RI:DNMS				
NAME	RRagland <i>RR</i>	ABurritt <i>AB</i>				
DATE	3/26/2018	3/28/2018				

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

George E. Pigott & Associates, Inc.
White Hall, WV

License No. 47-25105-01
Docket No. 030-31762

During an NRC inspection conducted on February 1, 2018, and continued in-office until March 15, 2018, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. Title 10 of the Code of Federal Regulations (CFR) Part 30.34(i) requires each portable gauge licensee to 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, from January 29, 2018, to February 1, 2018, George E. Pigott & Associates, Inc., possessed a portable gauge and did not use a minimum of two independent physical controls that form tangible barriers to secure the portable gauge from unauthorized removal, whenever the portable gauge was not under the control and constant surveillance of the licensee. Specifically, on January 29, 2018, the gauge was moved into an office area, and during the evening hours when there was no staff present to maintain constant control and surveillance, until February 1, 2018, the gauge was secured from unauthorized removal with only one tangible barrier (i.e., front door lock).

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

- B. Title 10 of the Code of Federal Regulations (CFR) Part 20.1101(c) requires licensees to periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, from 2014 – 2017, George E. Pigott & Associates, Inc., maintained an NRC portable gauge license and did not formally review the radiation protection program content and implementation.

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

Pursuant to the provisions of 10 CFR 2.201, George E. Pigott & Associates, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, 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 for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, 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 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 to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated This 28th day of March 2018