



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

May 2, 2018

Mr. Jeff Stamper, RSO
NTH Consultants, Ltd.
11675 Belden Court
Livonia, MI 48150

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03008223/2018001(DNMS) AND
NOTICE OF VIOLATION – NTH CONSULTANTS, LTD.

Dear Mr. Stamper:

On March 27, 2018, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection at your facilities in Livonia and Lansing, Michigan, with continued in-office review through April 3, 2018. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The in-office review included a review of the facts and circumstances surrounding an inspection finding. Mr. Edward Harvey of my staff conducted a final exit meeting with you by telephone on April 3, 2018, to discuss the inspection findings. This letter presents the results of the inspection.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

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. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation concerned the licensee's failure to use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges were not under constant surveillance of the licensee, as required by Title 10 of the *Code of Federal Regulations* (CFR) 30.34(i). The violation is cited in the enclosed Notice of Violation (Notice). The NRC is citing the violation in the enclosed Notice because the inspector identified it.

The inspector determined that the root cause of the violation was a management oversight resulting from the leasing of space in the licensee's building in Lansing, Michigan. Specifically, the outside doors of the building were locked at all times, and the licensee relied on them as a physical control to secure its portable gauges. In October 2017, the licensee began leasing space within its facility to an independent company. As a result, employees of the new company were granted access through the outside doors, leaving only one physical control to secure the portable gauges from unauthorized personnel. As corrective actions to restore compliance and to prevent recurrence, the licensee added a second independent lock to the door of the room in which the portable gauges were stored in Lansing.

The NRC has concluded that 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 achieved is already adequately addressed on the docket in this letter and

in NRC Inspection Report 03008223/2018001(DNMS). Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's 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 publicly available without redaction.

Please feel free to contact Mr. Harvey if you have any questions regarding this inspection. Mr. Harvey can be reached at 630-829-9819.

Sincerely,

/RA/

Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-08223
License No. 21-14894-01

Enclosure:
Notice of Violation

cc w/encl: State of Michigan

Letter to Jeff Stamper from Aaron McCraw, dated May 2, 2018

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03008223/2018001(DNMS) AND
NOTICE OF VIOLATION – NTH CONSULTANTS, LTD.

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OFFICE	RIII-DNMS		RIII-DNMS		RIII		RIII	
NAME	EHarvey:ps		AMcCraw					
DATE	4/24/2018		5/2/2018					

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

NTH Consultants, Ltd.
Livonia, Michigan

License No. 21-14894-01
Docket No. 030-08223

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on March 27, 2018, with continued in-office review through April 3, 2018, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the *Code of Federal Regulations* (CFR) 30.34(i) requires that each portable gauge licensee shall use a minimum of two independent 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 November 1, 2017, to March 27, 2018, the licensee failed to use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges were not under constant surveillance of the licensee. Specifically, the licensee had only one physical control in place to prevent unauthorized removal of its portable gauges at its permanent storage location in Lansing, Michigan.

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

The NRC has concluded that 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 was achieved, is already adequately addressed on the docket in the letter transmitting this Notice of Violation (Notice) and in NRC Inspection Report 03008223/2018001(DNMS). However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, IR 03008223/2018001(DNMS)" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice.

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, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's 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 publicly available without redaction.

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

Dated this 2nd day of May, 2018.

Enclosure