



**Aaron Swan
& Associates**
CONSULTING ENGINEERS

August 9, 2018

TO: US Nuclear Regulatory Commission
Michelle Simmons

FROM: Aaron Swan & Associates
P.O. Box 206
Pierre, South Dakota 57501

RE: Reply to a Notice of Violations
(1) Gauge user Training
(2) Hazmat Training

Dear Mrs. Michelle,

This letter is a response to the noted violations made during your inspection on April 5th, 2018 of our Laboratory facility at 29310 Gary Street, Pierre, SD.

Our investigation of said violations showed that we were not properly following our training schedule and/or documenting training for employee's. Training records were not being verified during in house inspections.

To correct violations employee's have gone through training and have certifications in files for training. I have sent those certifications to you in May, 2018.

We have taken corrective actions to remedy the violations to ensure that violations do not occur again.

1. We have updated our Radiation Safety Manual Section 2 Staff training. We have included the use of APNGA's courses, and Troxler Gauge Manuals for use in training.
2. We have added Troxler training to our Technician training Record so that during 6 month evaluations it will be verified if Nuclear Gauge training is needed.
3. We have added Radiation Program to our Internal Quality System Review Check Sheet so that during our Quality Review the Radiation Program does not get overlooked.


I have attached copies of all paperwork that has been corrected and have instituted all changes as of today's date.

I thank you for your time and help on this matter.

If you have any questions or need any additional information, please contact Steve McCarty, Lab Manager, at (605) 945-1315 or (605) 222-2452 cell#.

Sincerely,

AARON SWAN & ASSOCIATES



Steve McCarty, Lab Manager

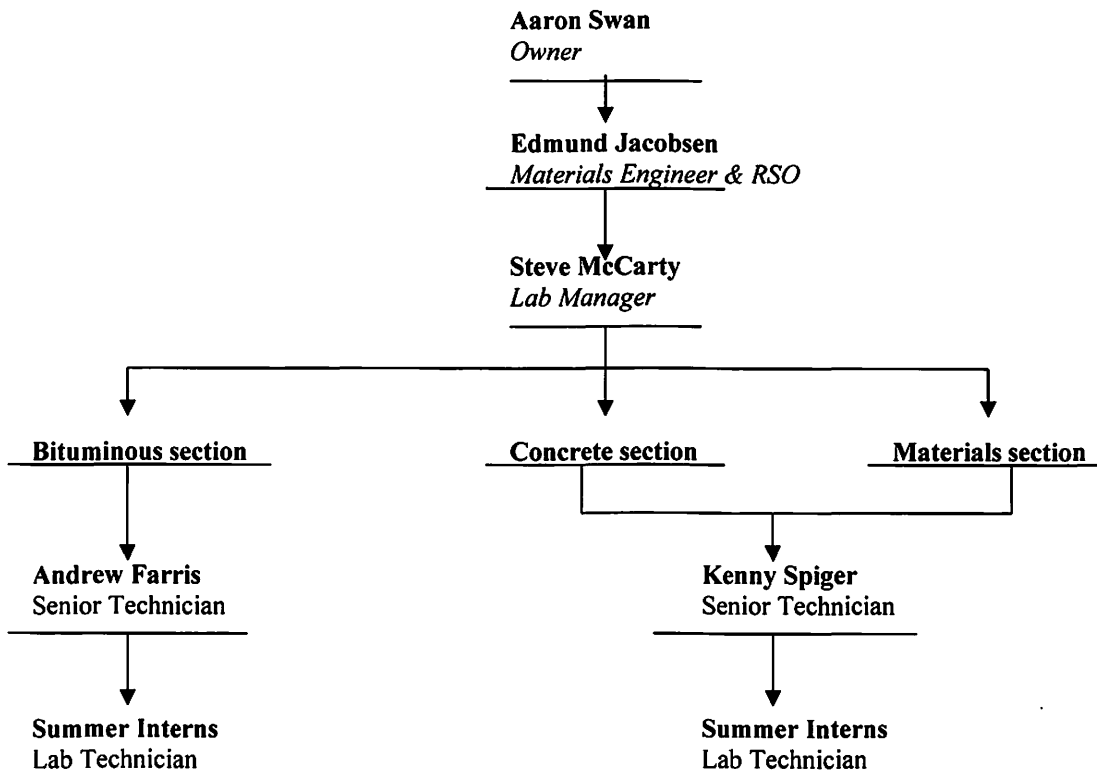
RADIATION PROGRAM MANUAL

1. ORGANIZATION

Aaron Swan owns the Materials Testing Lab. The laboratory is comprised of three sections, the Bituminous Section, the Concrete Section, and the Materials Section. All sections are operated under the authority of the Materials Engineer. Figure 1-2 presents an organizational chart illustrating the positions of the Materials Program and the three Sections. The Materials Engineer is the RSO for Aaron Swan & Associates and is in charge of ensuring the implementation of this manual's policies. The Lab Manager handles day to day operations of the lab and will take care of the daily aspects of these procedures.

Organizational Chart

Figure 1-2



2. STAFF TRAINING

A key element affecting the quality of services provided by the laboratory is the staff. The qualifications, training, and experience of managers, supervisors, clerical personnel, and most importantly, the technicians performing testing activities, directly reflect the competency of the laboratory.

American Portable Nuclear Gauge Association's (APNGA) on line courses will be utilized as general instruction and annual refresher for AS&A's radiation safety training. APNGA's Manual will be put into practice as an instructional supplement for the training of AS&A employee's and, it's cover and table of contents can be found in the appendix of this manual. A complete copy of APNGA's is located in the Lab office for future reference. Troxler's Operations Manual, which also has been included in the appendix of this manual, provides gauge specific information on the proper

use and care of nuclear density gauges, Finally, as appendix C, are AS&A's forms such as Incident Report, Nuclear Equipment Inventory, Report radiation Program and Nuclear sheets.

2.1. Training

Aaron Swan and Associates maintains a progressive training program administered by the Materials engineer. The Lab Manager is responsible for the training program and maintenance of all training records. Copies of all training shall be distributed to the Materials Engineer. Training records shall be retained in the lab office. The Lab Manager will insure that every new materials lab employee will complete AS&A radiation training within 2 weeks of being hired. Even though the employee may not use the Nuclear Gauge. They will be trained so they are aware of the rules pertaining to the gauges. The steps for certifying an AS&A employee:

1. The trainee will be given a tour and shown locations of Gauges, NRC Posters, and files.
2. The trainee will be access to APNGA's online courses for gauge user and hazmat training to complete.
3. The trainee will then go through 1 on 1 training with RSO to learn how to operate gauges, storage, transporting, and policies associated with radiation program.
4. The trainee will be given a copy of the ASA radiation safety manual.
5. Documentation of all initial training provided to each individual is recorded by the lab manager on the employee's "Technician Training and Evaluation Record" or filed in the employee's folder The completed form is kept on file in the lab and maintained by the lab manager.
6. A certificate of completion will then be given to the employee showing that they have had there initial training.

Any training received from outside agencies will be noted on the employee's "Technician Training and Evaluation Record" and any certificates will be filed in his or her employee folder.

2.2. Staff Evaluation

AS&A employees are evaluated annually on test methods that they perform on a regular basis. Methods that are not performed on a regular basis will be evaluated once a year or before the method is to be performed. Copies of evaluations will be given to Materials Engineer and filed in the lab.

Evaluations for radiation safety training and HAZMAT training will be given on a yearly basis. APNGA's refresher courses online will be used for this. RSO will go over any updates made to the Radiation Safety Manual.

3. Equipment

The reliability of tests and measurements made in the laboratory depend significantly on the integrity of equipment used. AS&A has established an equipment control program comprised of an inventory of major lab equipment and a systematic schedule of equipment calibration and verification.

3.1. Inventory

The lab manager is responsible for the physical inventory of the nuclear gauges and there equipment. This is performed every 6 months and reported on the Radiation Safety Audit Checklist Report and then filed in Lab Manager's office. The RSO is also notified of the audit and is physically there once a year to audit the program himself.

3.2. Equipment Calibration and Verification

The lab manager shall review calibration/verification records monthly to determine when equipment is due for service and if calibrations, leak tests and reports have been performed and properly filed.. All new testing equipment and equipment removed from service shall be calibrated and checked prior to being placed in service. Calibration and Verification procedures, certificates of traceability of in-house equipment, and records of all equipment calibrations and verifications will be permanently maintained by the lab manager and retained in the Calibration Book. The Calibration

A. Records:

	All records adequate and/or deficiencies corrected?				Date checked
	Asphalt lab	Agg. Lab	Concrete lab	Radiation Pr.	
Proficiency sample records/reports					
On-site inspection records/reports					
Equipment calibration/verification records					
Personnel training/evaluation records					
Test records					

Remarks: _____

B. Manual Requirements

Have there been any changes made or updates required in the following sections of the quality manual and Radiation Program manual?

Report any actions taken below on a corrective action report and attach report to this report and update manuals accordingly.

- a) Legal name and address
- b) Organizational charts
- c) Staff position descriptions
- d) Staff biographical sketches
- e) Staff training methods
- f) Staff evaluation methods
- g) Staff training/evaluation forms
- h) Equipment inventory list
- i) Equipment calibration/verification list
- j) Procedure describing in-house calibrations/verifications
- k) In-house equipment calibration/verification procedures
- l) Equipment calibration/verification certificates
- m) Procedures followed to produce test records
- n) Procedures followed to prepare, check and amend test reports
- o) Test report forms
- p) Procedures for sample identification, storage, retention and disposal
- q) Policies relative to on-site inspections and corrective action
- r) Policies relative to proficiency sample testing and corrective action
- s) Policies relative to handling external technical complaints
- t) Policies relative to internal quality system reviews
- u) Policies relative to subcontracting

Changes made?	Quality Manual updated?	Radiation Manual updated?

Actions taken: Fill out corrective action report for each action taken.

Please Attach all paperwork reviewed that has been changed, deficient and corrective action reports. Also attach the meeting minutes sheet from this review.

Reviewed by: _____ Date: _____ Next review date: _____