

**TESTING
LABORATORIES, INC**

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Since 1962

October 1, 1998

US Nuclear Regulatory Commission
DOCUMENT CONTROL DESK
Washington D.C. 20555

SUBJECT: REPLY TO A NOTICE OF VIOLATION - DOCKET No. 030-30653
NRC LICENSE No. 04-23286-01

Gentlemen:

Pursuant to the provisions of 10 CFR 2.201, S/G Testing Laboratories presents the following response to the above referenced Notice of Violation. A thorough review of our licensed activities was conducted immediately upon notification by the NRC Inspector by Bill E. Glaze, President and Owner. Our responses are listed below.

All violations noted were a direct result of inattention to detail by current listed Radiation Safety Officer. This individual has been relieved of RSO duties and will be replaced by trained individual upon completion of Troxler RSO Class.

Item A: Leak Testing:

Reason for violation:	RSO inattention to time factors; failure to maintain schedule with appropriate suspense dates.
Corrective action:	Gauges were leak tested on Aug 9 & 11, 98; Clean test results received from RDC (Rpts 20 & 21) on Aug 21 & 24, 98.
Steps to prevent recurrence:	Appoint new RSO. Implement schedule tracking. Increased supervision by senior management.
Compliance achieved:	Current. (See Corrective Action)

Item B: Film Badges (Quarterly vs. Monthly)

Reason for violation:	Failure to consider strict wording of license when presented with the quarterly badge option by RDC.
Corrective Action:	Monthly film badge service reinstated effective Oct 1, 98.
Steps to prevent recurrence:	Appoint new RSO, trained to not change conditional items without filing for license amendment.
Compliance achieved:	Current (See Corrective Action)

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Item B: (Continued) Failure to submit badges for analysis

Reason for violation: RSO inattention to detail; failure to notice lack of reports.

Corrective action: All on-hand badges sent to RDC for analysis on July 31, 98.
Clean test results received from RDC on Aug 24, 98 and Sept 16, 98..

Steps to prevent recurrence: Appoint new RSO. Implement schedule tracking. Increased supervision by senior management.

Compliance achieved: Current. (See Corrective Action)

Item C: Failure to prepare and maintain records of 49 CFR Part 172 Subpart H training

Reason for violation: RSO inattention to detail; failure to document recurring training..

Corrective action: Records established for all required staff. Formal retraining scheduled for Oct, 98.


Steps to prevent recurrence: Appoint new RSO. Implement schedule tracking. Increased supervision by senior management.

Compliance expected: Nov 1, 98. (See Corrective Action)

I hope this letter adequately responds to the referenced Notice of Violations. Should you require any additional information, please contact the undersigned.

Respectfully Submitted,

S/G TESTING LABORATORIES, INC.



Bill E. Glaze, President

cc:

Regional Administrator, Region IV

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ENCLOSURE 1

NOTICE OF VIOLATION

S/G Testing Laboratories, Inc.
Lompoc, CA 93436

Docket No. 030-30653
License No. 04-23286-01

During an NRC inspection conducted on July 29 and 31, 1998, three violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. License Condition 13.A requires, in part, that the sources identified in Items 7.A and B (of the license) shall be tested for leakage and/or contamination at intervals not to exceed 6 months.

Contrary to the above, on April 8-22, 1998, a portable gauge, Troxler Model 3430, Serial No. 22586, containing sources identified in Items 7.A and B of the license, was used in areas of exclusive Federal jurisdiction, and the sources had not been tested for leakage and/or contamination since September 20, 1997, an interval greater than 6 months.

This is a Severity Level IV violation (Supplement VI).

- B. License Condition 16.B requires, in part, that the licensee conduct its program in accordance with the statements, representations, and procedures contained in the licensee's application dated April 20, 1993.

Item 10 of the attachment to the licensee's application dated April 20, 1993, requires that personnel radiation exposure will be monitored by monthly film badge.

Contrary to the above, as of July 29, 1998, the licensee had not monitored personnel radiation exposure monthly as specified in Item 10. Specifically, the licensee had provided personnel with quarterly albedo dosimeters; however, the dosimeters had not been returned to the dosimetry vendor for analysis since July 31, 1996.

This is a Severity Level IV violation (Supplement VI).

- C. 10 CFR 71.5(a) requires that each licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation in 49 CFR Parts 170 through 189.

49 CFR 172.704(d) requires that a record of current training, inclusive of the preceding three years, in accordance with Subpart H of 49 CFR Part 172, shall be created and retained by each hazmat employer for each hazmat employee for as long as that employee is employed by that employer as a hazmat employee and for 90 days thereafter. The record must include: (1) the hazmat employee's name, (2) the most recent training completion date of the hazmat employee's training, (3) a description, copy, or location of the training materials, (4) the name and address of the person

providing the training, and (5) certification that the hazmat employee has been trained and tested in accordance with Subpart H of 49 CFR Part 172.

Contrary to the above, as of July 31, 1998, the licensee had not created and retained records of hazmat employee training, and the licensee otherwise meets the definition of hazmat employer in 49 CFR 171.8.

This is a Severity Level IV violation (Supplement V).

Pursuant to the provisions of 10 CFR 2.201, S/G Testing Laboratories, 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 IV, 611 Ryan Plaza Drive, Suite 400, 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 for each alleged violation: (1) the reasons 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. 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 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.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy 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 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Arlington, Texas
this 8 th day of September 1998