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July 27, 2021

Nuclear Materials Safety
Materials Inspection Branch
U.S. Nuclear Regulatory Commission, Region IV
ATTN: DNMS Licensing Assistant
1600 East Lamar Boulevard
Arlington, TX 76011-4511

RE: NRC Inspection Report 030-38268/2021-001 and Notice of Violation dated July 6, 2021

Docket No. 030-38268
License No. 11-29385-01

Ms. Katanic,

In response to the Notice of Violation referenced above, Eagle Rock Engineering & Land Surveying, PC (Eagle Rock Engineering) has developed the following Implementation of Corrective Action for the following violations involving the failure to: (1) transport of a portable nuclear gauge in an approved transportation container; (2) test sealed sources for leakage and/or contamination before use or transfer; (3) lock a portable nuclear gauge or its container when in storage.

Violation 1 – Transport of a portable nuclear gauge in an approved transportation container

The shipping container for this gauge no longer meets approved transportation requirements. For the current time, this gauge (S/N 7540) is out of use and the container has been secured and marked "NOT APPROVED FOR TRANSPORT". Eagle Rock Engineering has discussed the option of disposal and possible replacement of the gauge in question (S/N 7540) with local QAL-TEK Associates representatives. At which time an approved container would be used for transport. Eagle Rock Engineering will take further action as to the disposal at a later date.

Violation 2 - Test sealed sources for leakage and/or contamination before use or transfer

Current Leak Test – [REDACTED] (QAL-TEK Associates) was contacted and asked about documentation of a leak test performed on Gauge S/N-7540 for the period of time it was at the QAL-TEK facility for repair/maintenance (10/1/2020 to 12/10/2020). They did not have a documented leak test on file. A passing leak test was performed immediately after the phone call (5/13/2021). Eagle Rock Engineering authorized gauge users were reminded of the gauge "Out of Service" status and the Leak Test records were updated. Gauge S/N 7540 has been secured with a separate lock and marked "Out of Service"

Violation 3 – Failure to lock each portable gauge or its container when in transport or storage, or when not under the direct supervision of an authorized user

During the routine NRC Inspection on May 13, 2021, when entering the storage room, the gauge (S/N 7540) was not secured with its cable, and when upon opening the case the gauge trigger lock was missing. A trigger lock was placed on this gauge and it was secured to the wall with a locked cable immediately after the inspection of the gauge. The gauge (S/N 7540) had been taken to QAL-TEK Associates for maintenance/repairs in October 2020. The gauge had not been in use since before April 2013 and Eagle Rock Engineering had no key to unlock the trigger lock in place. QAL-TEK Associates called and asked if there was a key to the lock. As there was none, the lock was removed replaced with a current lock and key. When the gauge was returned to Eagle Rock Engineering, the gauge trigger lock was not checked and was assumed to be in place. The gauge (S/N 7540) is currently locked and secured. Authorized gauge users were reminded in a general refresher to verify the trigger lock on the gauge is locked in place when in transport, or storage, or when not under the supervision of an authorized user. Periodic audits by the Radiation Safety Officer (RSO) will also be performed to insure proper handling, maintenance and transport of the portable gauges.

If there are any additional questions please contact by phone at (208) 542-2665 or e-mail at cbare@erengr.com.

Thank you,



Chad Bare, E.I.

Company Radiation Safety Officer (RSO)
Eagle Rock Engineering & Land Surveying, PC

From: [Chad Bare](#)
To: [Katanic, Janine](#)
Cc: [Bolger, Allyce](#); ["Kurt Roland"](#)
Subject: [External_Sender] NRC Inspection Report and Notice of Violation/Eagle Rock Engineering - Response
Date: Tuesday, July 27, 2021 1:54:07 PM
Attachments: [2021-07-27 RESPONSE - NRC Inspection Report 030-38268 Notice of Violatio....pdf](#)

Janine,

Thank you for the timely response on this. I have attached the response letter for the three Severity Level IV violations as described in the Notice of Violation. If there are any questions or additional concerns please feel free to contact me at the phone numbers or email listed below.

Thank you,

Chad Bare, EI/Lab Manager/RSO

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