



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

August 16, 2021

Mr. Peter Swanson, P.E., Principal  
GHD Services, Inc.  
26850 Haggerty Road  
Farmington Hills, MI 48331

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03036768/2021001(DNMS) AND  
NOTICE OF VIOLATION – GHD SERVICES, INC.

Dear Mr. Swanson:

On June 16 and 17, 2021, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection at your office in Farmington Hills, Michigan, and at a temporary job site in Dearborn, Michigan, with continued in-office review through July 20. 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 an evaluation of technical qualifications by staff from the Region III Materials Licensing Branch. Mr. Ryan Craffey of my staff conducted a final exit meeting by telephone with Mr. Junge of your staff on July 20, 2021, to discuss the inspection findings. This letter presents the results of the inspection.

During this inspection, the NRC inspector examined activities conducted under your license related to public health and safety. Additionally, the inspector 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 four Severity Level IV violations of NRC requirements occurred. The violations were evaluated in accordance with the NRC Enforcement Policy, which is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations concerned: (1) the individual listed in Condition 12 of your license as the Radiation Safety Officer (RSO) did not perform as RSO; (2) the failure to have, or have access to, a radiation survey meter, as required by Condition 19.A of your license; (3) the failure to review the content and implementation of the radiation safety program annually, as required by Title 10 of the *Code of Federal Regulations* (CFR) Part 20.1101(c); and (4) the failure to ensure that all hazmat employees were trained in accordance with Subpart H of 49 CFR 172, as required by 10 CFR 71.5(a). These violations were identified by the inspector, and as such are cited in the enclosed Notice of Violation (Notice).

The inspector determined that the root cause of all four violations was inadequate oversight of the radiation safety program. As corrective action, on June 18, 2021, you submitted a request to name a new RSO on the license. This request was approved, and the license updated, on July 13. Your new RSO also committed to complete an audit of the radiation safety program by

the end of July and committed to complete a hazardous materials transportation training course on July 16. He also indicated that GHD Services was in the process of purchasing and obtaining a radiation survey meter.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be useful in preparing your response. You can find the Information Notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with the NRC's "Rules of Practice" in 10 CFR 2.390, a copy of this letter, its enclosure, and 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.

Please feel free to contact Mr. Craffey of my staff if you have any questions regarding this inspection. Mr. Craffey can be reached at 630-829-9655 or [ryan.craffey@nrc.gov](mailto:ryan.craffey@nrc.gov).

Sincerely,



Signed by Kunowski, Michael  
on 08/16/21

Michael A. Kunowski, Chief  
Materials Inspection Branch  
Division of Nuclear Materials Safety

Docket No. 030-36768  
License No. 21-32548-01

Enclosure: Notice of Violation

cc w/encl: Brendon Junge, Radiation Safety Officer  
State of Michigan

Letter to Peter Swanson from Michael Kunowski dated August 16, 2021.

SUBJECT: NRC INSPECTION REPORT NO. 03036768/2021001(DNMS) – GHD SERVICES, INC.

DISTRIBUTION w/encl:

Jack Giessner  
Mohammed Shuaibi  
David Pelton  
Joseph Nick  
Jamnes Cameron  
Kenneth Lambert  
Paul Pelke  
MIB Inspectors

**ADAMS Accession Number: ML**

OFFICE	RIII-DNMS		RIII-DNMS				
NAME	RCraffey:brt		MKunowski				
DATE	08/13/21		08/16/21				

**OFFICIAL RECORD COPY**

## NOTICE OF VIOLATION

GHD Services, Inc.  
Farmington Hills, Michigan

License No. 21-32548-01  
Docket No. 030-36768

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on June 16 and 17, 2021, with continued in-office review through July 20, four violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. Condition 12 of Amendment No. 4 to NRC License No. 21-32548-01 states that the Radiation Safety Officer (RSO) for the license is a specifically named individual.

Contrary to the above, from July 2018 and July 13, 2021, the licensee failed to have the individual named on the license perform the duties and responsibilities of the RSO.

This is a Severity Level IV violation (Section 6.3.d.8).

- B. Condition 19.A of Amendment No. 4 to NRC License No. 21-32548-01 states in part that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, in its application dated March 31, 2011.

In item 10 of the application dated March 31, 2011, the licensee stated that "we will either possess and use, or have access to and use, a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program – Instruments" in NUREG-1556, Vol. 1, Rev. 1, dated September 2001.

Contrary to the above, as of June 16, 2021, the licensee did not either possess or have access to a radiation survey meter.

This is a Severity Level IV violation (Section 6.3.d.3)

- C. Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20.1101(c) states that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, as of June 16, 2021, the licensee did not periodically review its radiation protection program content and implementation.

This is a Severity Level IV violation (Section 6.3.d.3).

- D. Title 10 CFR Part 71.5(a) requires that each licensee who transports licensed material outside the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the DOT regulations in 49 CFR parts 107, 171 through 180, and 390 through 397, appropriate to the mode of transport.

Title 49 CFR 172.702 requires that each hazmat employer ensure that each hazmat employee is trained and tested, and that no hazmat employee performs any function subject to the requirements of 49 CFR Parts 171-177 unless trained, in accordance with Subpart H of 49 CFR Part 172. The terms Hazmat Employer and Hazmat Employee are defined in 49 CFR 171.8.

Title 49 CFR 172.704(c)(2) requires, in part, that a hazmat employee receive the training required by this subpart at least once every three years.

Contrary to the above, as of June 16, 2021, the licensee did not provide recurrent training at least once every three years to one hazmat employee that satisfied the requirements in Subpart H of 49 CFR Part 172, and the licensee otherwise meets the definition of a hazmat employer in 49 CFR 171.8. Specifically, the individual, who has since been appointed to serve as Radiation Safety Officer, had not received this training since last completing it on August 19, 2016.

This is a Severity Level IV violation (Section 6.3.d.4).

Pursuant to the provisions of 10 CFR 2.201, GHD Services, Inc. is hereby required to submit a written statement or explanation 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 of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for the violations, or, if contested, the basis for disputing the violations or their severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance will be achieved. Your response may reference or include previously 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.

Your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

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.

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

Dated this 16th day of August 2021.