United States Nuclear Regulatory Commission May 17, 2022 Region III 801 Warrenville Road Lisle, Illinois 60532-4351 Attn: Response to Apparent Violations in NRC Special Inspection Report No. 03035111/2021002(DNMS)

> License No.: 13-18685-01 Docket No. 030-35111

Mr. Michael Kunowski

Enclosed is our response to the Apparent Violations in NRC Special Inspection Report No. 03035111/2019001(DNMS)

If you have any questions regarding the attached response, please contact us at your convenience.

Very Truly Yours

Alt & Witzig Engineering, Inc.

Mark D. Herber

Mark D. Herber, Assistant R.S.O.

William E. Witzig, R.S.O.

 <u>Apparent Violation:</u> 10 CFR 20.1802 – which requires that the licensee control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area that is not in storage and 10 CFR 30.34(i) which requires that each portable gauge licensee use a minimum of two independent physical 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.

<u>Reason for Violation:</u> Complacency leading to Individual human error was the cause for the violation. The user had been properly trained on the transportation and safety of nuclear gauges prior to the incident. The user had been an authorized gauge operator for approximately eight years and became complacent with the safety and handling of his nuclear density gauge.

<u>Corrective Steps that have been taken</u>: The user was suspended from operating a nuclear density gauge for a minimum of ninety days and required to retake the nuclear gauge operator training and testing prior to operating a gauge. All users were required to retake the annual Alt & Witzig nuclear density gauge refresher training immediately following the incident. Refresher training was also required of the user at the end of his suspension.

<u>Corrective steps to avoid future incidents</u>: Corrective actions implemented since the lost gauge include refresher training for all current nuclear gauge users with an emphasis on the location of the gauge while the user is on the jobsite. This refresher training is in addition to our annual refresher training. Additionally, refresher training has been increased from an annual basis to a bi-annual basis to reinforce the daily requirements and expectations that are associated with the storage and operation of a nuclear density gauge. To emphasize the on-site location, users will be required to document multiple reviews of the location of the gauge on a jobsite from the refresher training manual.

Date of Full Compliance: We feel that we are in compliance by storing our nuclear gauges secured in our building or in a transportation box bolted to the bed of a truck with a keyed lock. On this day, the user violated the Alt & Witzig policy of the safety and handling of nuclear density gauges. All users are instructed to secure the gauge and activate the locks whenever the nuclear gauge is not in use. When the nuclear gauge is out of the steel box, it is to always remain within arm's reach of the user. An annual review of this policy is performed by all gauge users. We will continue to communicate the mandatory requirements for the safe and secure transportation of nuclear density gauges. We have updated our annual refresher training to a biannual basis to remind our users of our commitment to the safe and secure handling of nuclear density gauges.

2. <u>Apparent Violation</u>: Condition 17 of NRC License 13-18685-02which requires, in part, that the gauge or its container be locked when in transport or storage, or when not under the direct surveillance of an authorized user.

<u>Reason for Violation</u>: Complacency leading to Individual human error was the cause for the violation. The user had been properly trained on the transportation and safety of nuclear gauges prior to the incident. The user had been an authorized gauge operator for approximately eight years and became complacent with the safety and handling of his nuclear density gauge.

<u>Corrective Steps that have been taken</u>: The user was suspended from operating a nuclear density gauge for a minimum of ninety days and required to retake the nuclear gauge operator training and testing prior to operating a gauge. All users were required to retake the annual Alt & Witzig nuclear density gauge refresher training immediately following the incident. Refresher training was also required of the user at the end of his suspension.

<u>Corrective steps to avoid future incidents</u>: Corrective actions implemented since the lost gauge include refresher training for all current nuclear gauge users with an emphasis on the location of the gauge while the user is on the jobsite. This refresher training is in addition to our annual refresher training. Additionally, refresher training has been increased from an annual basis to a bi-annual basis to reinforce the daily requirements and expectations that are associated with the storage and operation of a nuclear density gauge. To emphasize the on-site location, users will be required to document multiple reviews of the location of the gauge on a jobsite from the refresher training manual.

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