



November 17, 2022

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Reply to a Notice of Vilation; 030-32220/2022-001

Document Control Desk,

- A. *License Condition 16 of NRC license 11-27395-01, Amendment 9, issued July 29, 2022 requires, in part, that the licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license.*

Contrary to the above, as of the date of inspection on October 24, 2022, the licensee failed to conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license. Specifically, the licensee conducted a physical inventory on an annual basis for calendar years 2020 through 2022, periods which exceeded 6 months.

A. Response

- (1) The reason for the violation was the RSO thinking that it was required only 1 time per year for the inventory.
 - (2) The inventory will be physically accessed a minimum of every 6 months
 - (3) The inventory will be physically accessed a minimum of every 6 months
 - (4) Full compliance has been achieved at the time of writing this response.
- B. *10 CFR 71.5(a) requires, in part, that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR. 49 CFR 177.842(d) requires that packages containing Class 7 (radioactive) materials must be so blocked and braced that they cannot change position during conditions normally incident to transportation.*

Contrary to the above, on October 24, 2022, the licensee transported Class 7

(radioactive) material in a package and failed to block and brace the package so that it could not change position during conditions normally incident to transportation. Specifically, the licensee transported a portable nuclear gauge on a public highway that was secured with a loose chain that allowed the portable gauge to move significantly while in transport.

B. Response

- (1) The reason for the violation was the employee did not follow their training.
- (2) The employee that had this violation no longer works for HLE, but it has been brought up with all gauge users of the correct method of transport
- (3) All gauge users have been refreshed on correct transport procedures
- (4) Full compliance has been achieved at the time of writing this response.

C. 10 CFR 30.34(i) requires that each portable gauge licensee shall 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.

Contrary to the above, on October 24, 2022, the licensee failed to use a minimum of two independent physical controls that formed tangible barriers to secure a portable gauge from unauthorized removal, whenever the portable gauge was not under the control and constant surveillance of the licensee. Specifically, the licensee was storing a Troxler Model 3430 portable gauge (serial number 31706) in a truck with only one physical barrier, and no one was available to maintain control and constant surveillance of the portable gauge while it was being stored in the truck.

C. Response

- (1) The reason for the violation was the employee did not follow there training.
- (2) The employee that had this violation no longer works for HLE, but it has been brought up with all gauge users of the correct method of transport
- (3) All gauge users have been refreshed on correct transport procedures
- (4) Full compliance has been achieved at the time of writing this response.

Please contact HLE, Inc. should you have any questions.

Thank you,

HLE, Inc.



B. Luke Jolley, P. E., RSO