

From: [Perry Buckberg](#)
To: [Thomas Saporito](#)
Cc: [James Kim](#); [Daniel King](#)
Subject: 10 CFR 2.206 Petition dated June 1, 2023
Date: Friday, June 23, 2023 8:18:00 AM

Mr. Saporito,

The Nuclear Regulatory Commission (NRC) received your petition pursuant to Section 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206) dated June 1, 2023, and initiated the screening process in accordance with Section II.A.2(d) of NRC Management Directive (MD) 8.11, "Review Process for 10 CFR 2.206 Petitions" (NRC's Agencywide Documents Access and Management System (ADAMS) Accession No. ML18296A043). In your petition, you requested that the NRC issue a Confirmatory Order (CO) to its licensee "G2 Consulting Group, LLC" (CG) to (1) immediately employ and otherwise station a licensee employee at the entrance to the licensee's Material Test Equipment (MTE) storage room to log the date, time, purpose, and description of all MTE removed from the MTE room; and log the return of that same MTE; and (2) review and certify the MTE logs on a monthly basis and to retain such logs until the expiration of the licensee's NRC license. The basis of your request is the licensee's response (ADAMS Accession No. ML23123A041) to the apparent violations identified in Inspection Report No. 03033590/2021001 (DRSS) (ADAMS Accession No. ML23069A108).

The NRC staff has screened your request out of the 2.206 Petition Process consistent with MD 8.11 Section II.A.2(d)(ii), "General Assertions and Duplicative Requests for Action under 10 CFR 2.206." The NRC has concluded that your request is duplicative of a completed enforcement action, containing no new information regarding the apparent violations identified in Inspection Report No. 03033590/2021001 (DRSS).

Additionally, the NRC staff concluded, following review in accordance with Section II.B.1 of MD 8.11, that the concerns expressed in your request do not warrant immediate enforcement action.

On May 25, 2023, NRC issued a Notice of Violation to G2 Consulting Group LLC and imposed a Civil Penalty (ADAMS Accession No. ML23130A310) for the violations referenced in your petition. NRC cited G2 Consulting Group LLC for (1) failure to maintain control of a portable moisture density gauge containing NRC-regulated radioactive material in accordance with 10 CFR 20.1802; and (2) failure to implement operating and emergency procedures when authorized users did not return gauges to proper locked storage locations at the end of the shift or log gauges into a daily use log when returning gauges to storage in accordance with Appendix H of NUREG-1556, Volume 1, Revision 1. The associated May 31, 2023, NRC News Release is available at: <https://www.nrc.gov/cdn/doc-collection-news/2023/23-013-iii.pdf>.

Regarding the security requirements for portable moisture density gauges containing radioactive material, NRC licensees are required to meet 10 CFR 20.1802 and Appendix H of NUREG-1556 Volume 1. 10 CFR 20.1802 states that licensees shall control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage. Appendix H of NUREG-1556, Volume 1, Revision 1 requires, in part, that authorized users return the gauge to its proper locked storage location at the end of the work shift and log the gauge into the daily use log when it is returned to storage.

Thank you for bringing these issues to the attention of the NRC. The 2.206 Petition Process exists to identify safety issues at NRC licensed facilities and your efforts are appreciated. For more information on the petition process please see <https://www.nrc.gov/aboutnrc/regulatory/enforcement/petition.html>.

Thanks,

Perry Buckberg

Senior Project Manager / Agency 2.206 Petition Coordinator

U.S. Nuclear Regulatory Commission

Office of Nuclear Reactor Regulation
office: (301)415-1383
perry.buckberg@nrc.gov
Mail Stop O-8B1a, Washington, DC, 20555-0001