



**CONTRACTORS FOR:**  
Re-Roofing, New Roofing  
Roof Maintenance and Repair  
Mechanical Services  
Industrial Sheeting  
Sheet Metal Fabrication and Erection  
HVAC Systems and Service  
Design Build

## ROOFING & SHEET METAL COMPANY

PO BOX 1949, PARKERSBURG, WV 26102 - 101 SOUTH MEADVILLE ROAD, DAVISVILLE, WV 26142

PHONE (304) 485-6593 • FAX (304) 485-2841

CONTRACTOR LICENSE #WV004542 E-Mail: parkersburg@tri-stateservice.com Website: www.tri-stateservicegroup.com

April 13, 2026

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, D.C. 20555  
Cc: Regional Administrator, Region 1

Re: Reply to a Notice of Violation

To Whom it May Concern:

Please see the attached documents and photos in response to the violation our office incurred.

Should you have any questions or concerns, please contact me via email at:  
[cstone@tri-stateservice.com](mailto:cstone@tri-stateservice.com)

Thank you,

A handwritten signature in blue ink, appearing to read 'Carter A. Stone', is written over a white background.

Carter A. Stone



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD – SUITE 102  
KING OF PRUSSIA, PA 19406-1415**

February 4, 2026

Jason Lewis, President  
Tri-State Roofing & Sheet Metal Company  
P.O. Box 1949  
Parkersburg, WV 26102

**TRI-STATE ROOFING & SHEET METAL COMPANY - NRC  
INSPECTION NO. (03032939/2024001) AND NOTICE OF VIOLATION**

Dear Mr. Lewis:

This letter refers to the inspection conducted on September 17, 2024, at your Davisville, WV facility. This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and with 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. An exit meeting was attempted unsuccessfully on multiple occasions. The results of the inspection were communicated during a debrief on site on September 17, 2024; and via email on September 29, 2025, and January 13, 2026.

Based on the results of this inspection, the NRC has determined that five Severity Level IV violations of NRC requirements occurred. These violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations are cited in the enclosed Notice of Violation (Notice) because the violations were identified by the NRC.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC Web site 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 available to the Public without redaction.

J. Lewis

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If you have any questions regarding this matter, please contact Juan Ayala of my staff at 610-337-6927 or via electronic mail at [Juan.Ayala@nrc.gov](mailto:Juan.Ayala@nrc.gov).

Thank you for your cooperation.

Sincerely,

Monica Ford

Digitally signed by Monica  
Ford  
Date: 2026.02.04  
09:16:13 -05'00'

Monica Ford, Chief  
Commercial, Industrial, R&D  
and Academic Branch  
Division of Radiological Safety and Security  
Region I

Docket No. 030-32939  
License No. 47-23687-02

Enclosure:  
Notice of Violation

cc w/ enclosure  
Carter Stone, Radiation Safety Officer  
State of West Virginia

SUBJECT: TRI-STATE ROOFING & SHEET METAL COMPANY - NRC INSPECTION  
NO. (03032939/2024001) AND NOTICE OF VIOLATION  
DATED FEBRUARY 4, 2026

DISTRIBUTION:  
MFerdas, DRSS  
MFord, DRSS  
JAYala, DRSS

**SUNSI Review JAYala**

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/  
attach/encl "N" = No copy  
ADAMS ACCESSION NO. ML26034C367

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OFFICE	RI/DRSS	RI/DRSS			
NAME	JAYala	MFord			
DATE	1/29/26	2/4/26			

OFFICIAL RECORD COPY

## NOTICE OF VIOLATION

Tri-State Roofing & Sheet Metal Co.  
Parkersburg, WV

Docket No. 030-32939  
License No. 47-23687-02

During an NRC inspection conducted on September 17, 2024, five violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 20.1101(c) states that licensees shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, for the inspection period, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, no annual program audit or review of the radiation protection program was conducted for the years 2020 through 2024.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.3.d.3).

- B. NRC License Condition No. 15 of NRC License No. 47-23687-02, dated April 7, 2023, requires that the licensee to conduct a physical inventory every six-months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license.

Contrary to the above, from 2020 through September 17, 2024, the licensee did not perform physical inventories at the required six-month frequency, nor did the licensee obtain NRC approval for an alternative inventory interval. The licensee was unable to demonstrate that semiannual physical inventories were being conducted during this period.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.3.d.3).

- C. NRC License Condition No. 16 of NRC License No. 47-23687-02, dated April 7, 2023, requires each portable nuclear gauge be equipped with a lock or an outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must remain locked during transport, during storage, or whenever the gauge is not under the direct surveillance of an authorized user.

Contrary to the above, on September 17, 2024, the licensee failed to ensure that a portable nuclear gauge was secured with a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. Specifically, one gauge did not have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.7.d).

- D. NRC License Condition No. 19 of NRC License No. 47-23687-02, dated April 7, 2023, requires the licensee to conduct its program in accordance with the statements, representations, and procedures contained in its license application.

Contrary to the above, on September 17, 2024, the licensee did not have operating and emergency procedures. Specifically, the licensee did not have operating and emergency procedures consistent with those described in the application. Specifically, the licensee relied on generic emergency information obtained from the vendor's website, which did not include licensee specific information, including emergency response contact information.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.3.d.3).

- E. 10 CFR 30.34(i) requires that each portable gauge licensee shall use a minimum of two independent physical controls that serve as tangible barriers to prevent unauthorized removal of portable gauge whenever the gauge is not under the control and constant surveillance of the licensee.

Contrary to the above, on September 17, 2024, the licensee's storage facility did not have two tangible barriers to secure the portable gauge from unauthorized removal while not under the control and constant surveillance of the licensee. Specifically, the licensee credited constant surveillance during working hours and locked outer doors after hours, however, the storage room only had one lock on the door, the key to the room was on a hook on the wall, and the gauge inside the room was not secured with a second barrier.

Corrective actions: The licensee subsequently secured the storage room and placed the key under the control of the RSO.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.7.d).

Pursuant to the provisions of 10 CFR 2.201, Tri-State Roofing & Sheet Metal Co. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, 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 for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous 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.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated This 4th day of February 2026

- A. Corrective action: See attached Program Review.
- B. Corrective action: See attached inventory log.
- C. Corrective action: See attached pictures. Troxler sits in a locked box that is in a locked cabinet. The locked cabinet sits in a room that stays locked at all times. Jason Lewis is the only one with access to the locked cabinet.
- D. Corrective action: See attached emergency procedures that are posted next to the Troxler.
- E. Corrective action: See corrective action C.

**TROXLER**  
**Annual Radiation Program Review**  
**of Transporting & Handling**

Date of Annual Review: 9-17-25

Issues Covered:

- Bill of Lading
- Transporting Troxler in Unit Case
- Usage Log Book
- "Caution Radiation Active Materials" sticker
- License
- Other:



Reviewed that the Troxler is not to be used  
or transported.

Attendees:

Printed Name:

Signature:

1. Jason Lewis
2. Carter Stone
3. \_\_\_\_\_
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Review conducted by:

Carter A. Stone  
Printed Name

  
Signature



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# **TROXLER NUCLEAR GAUGE EMERGENCY RESPONSE INFORMATION REQUIRED FOR TRANSPORTATION**

(Reference DOT P5800.5 ERG93, and 49CFR)

## **1) PROPER SHIPPING NAME:**

- **RADIOACTIVE MATERIAL, SPECIAL FORM, NOS, 7, UN2974**

### **POTENTIAL HAZARDS**

## **2) HEALTH HAZARDS**

- Radiation presents minimal risk to lives of persons during transportation accidents.
- Undamaged packages are safe; damaged packages or materials released from packages can cause external radiation hazards. Contamination is not suspected.
- Packages (cartons, boxes, drums, articles, etc.) identified as "Type A" by marking on packages or by shipping papers contain non-life endangering amounts. Radioactive sources may be released if packages are damaged in moderately severe accidents.
- Packages (large and small, usually metal) identified as "Type B" by marking on packages or by shipping papers contain potentially life endangering amounts. Because of design, evaluation, and testing of packages, life endangering releases are not expected in accidents except those of utmost severity.
- Commonly available instruments can detect most of these materials.
- Water from cargo fire control is not expected to cause pollution.

## **3) FIRE OR EXPLOSION**

- Packagings can be consumed without content loss from sealed source capsule.
- Radioactive source capsules and Type B packages are designed to withstand temperatures of 1475°F (800°C).

### **EMERGENCY ACTION**

## **4) IMMEDIATE PRECAUTIONS**

- Priority response actions may be performed before taking radiation measurements.
- Priorities are life saving, control of fire and other hazards, and first aid.
- Isolate hazard area and deny entry. Notify Radiation Authority of accident conditions.
- Delay final cleanup until instruction or advice of Radiation Authority.
- Positive pressure self-contained breathing apparatus (SCBA) and structural firefighter's protective clothing will provide adequate protection against internal radiation exposure, but not external radiation exposure.
- **CALL TROXLER ELECTRONIC LABORATORIES, INC. AT (919) 839-2676 FOR EMERGENCY ASSISTANCE.**

## **5) FIRE**

- Do not move damaged packages; move undamaged packages out of fire zone.
- **Small Fires:** Dry chemical, CO, water spray or regular foam.
- **Large Fires:** Water spray, fog (flooding amounts).

## **6) SPILL OR LEAK**

- Do not touch damaged packages or spilled material.
- Slightly damaged or damp outer surfaces seldom indicate failure of inner container.
- If source is identified as being out of package, stay away and await advice from Radiation Authority.

## **7) FIRST AID**

- Use first aid treatment according to the nature of the injury.
- Persons exposed to special form sources are not likely to be contaminated with radioactive material.

PRINTMASTER  
NO. 10  
40448  
WINDOW  
SUB. 24  
WHITE WOVE

PLEASE  
DO NOT  
LOCK CABINET

9000 SHEETS | FEUILLES  
8.5" x 11" | 216 mm x 279 mm

3984  
LETTERMARK  
Premium Paper | Papier haut de gamme  
8.5" x 11" | 216 mm x 279 mm  
8000 SHEETS | FEUILLES

BOISE  
Kristin's XMAS  
FIREWORK  
Paper with Purpose

hp

**CAUTION**  
RADIOACTIVE  
AGENT PRESENT

**CAUTION**  
RADIOACTIVE  
MATERIALS



Handle - One in  
1975

