

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BLVD
ARLINGTON, TEXAS 76011-4511

August 1, 2012

Warren Barse, Radiation Safety Officer
C & W Enterprises, Inc.
P.O. Box 542
Harrisburg, South Dakota 57032

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 030-30526/2012-001

Dear Mr. Barse:

Thank you for your letter dated July 25, 2012, in response to the violation identified in our letter and Notice of Violation (Notice) dated June 28, 2012. We have reviewed your corrective actions and find them responsive to the concerns raised in our Notice. We will review the implementation of your corrective actions during a future inspection to determine that full compliance has been achieved and will be maintained.

If you have any additional questions related to your proposed amendment to change your storage location, please contact Mr. Jason Razo at jason.razo@nrc.gov or 817-200-1589.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

G. Michael Vasquez, Chief
Nuclear Materials Safety Branch A

Docket: 030-30526
License: 40-26938-01

cc w/copy of licensee's letter dated
July 25, 2012 (ML12214A394):

South Dakota Radiation Control
Program Director

U.S.NRC
Jason Razo
1600 E Lamar Blvd
Arlington TX 76011-4511

7/25/2012

RE: License 40-26938-01, Docket 030-30526

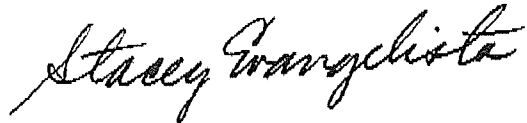
Hi Jason;

I am sending papers over that Warren thought you needed to see. As well you will find Warren's response to the Notice of Violation.

I will contact you next week regarding the "Request of Change" for the "Home Location."

Have a good Evening!

Stacey Evangelista

A handwritten signature in cursive script that reads "Stacey Evangelista".

C&W Enterprises Inc.
PO Box 542
Harrisburg SD 57032

ML12214A394

Reply to a Notice of Violation

July 25, 2012

U.S.NRC
Jason Razo
1600 E Lamar Blvd
Arlington TX 76011-4511

RE: License 40-26938-01, Docket 030-30526

As Radiation Safety Officer on the above named license, I respond to the Notice of Violation as follows.

1. I was not aware that I was required to give a notice if there was a potential for a 24 month period of inactivity under this license. I was hoping to either use the device or sell the device and not sure I would've foreseen the '24 month period of inactivity.'
2. The corrective measures that have been made thus far are...
 - a. Inspection of Device at Home Location
 - b. Review Paperwork with Device, Copy papers with device for file at Office
 - c. Review of requirements tied to basic procedures
3. The corrective measures that will be taken are...
 - a. Renew license
 - b. Request a change for "Home Location"
 - c. Create map for new "Home Location" and post in shop and in container where device is to be located.
 - d. Review regulations and requirements
4. I expect to be in full compliance by August 31st 2012.

Warren Barse, Radiation Safety Officer



C&W Enterprises Inc.
PO Box 542
Harrisburg SD 57032

SHIPPER'S CERTIFICATION FOR RADIOACTIVE MATERIALS
(to be completed in triplicate)

This is to certify that the contents of this consignment are properly described by name and are packed, marked, labeled, and are in proper condition for carriage by air according to all applicable carrier and governmental regulations. (For international shipments add " and to the IATA Restricted Articles Regulations") This consignment is within the limitations prescribed for passenger/cargo (cross out one) carrying aircraft.

Name and address of Shipper Warren Barse, Temp Jobsite -
Northern Pulp Packers, 38749-135th St., Aberdeen SD 57401

Name and address of Consignee Warren Barse, Home Storage
26995 S Southeastern Ave, Sioux Falls SD 57108

Date 1/9/09

GAUGE SERIAL NO. Troxler Model 3411-B

SOURCE SERIAL NO. Cs 137; 50 AH 241:BE; 47

The following information may be included here for each package of the consignment; if not in must be given in other shipping documents.

NATURE AND QUANTITY OF CONTENT				PACKAGE		
RADIONUCLIDE	GROUP	FORM	ACTIVITY	CATEGORY	TRANSPORT	TYPE
Name of principle radioactive content (enter which ever radionuclide is appropriate)	Group number of groups I to VII	Either chemical form plus gas/liquid/solid or special form, or special encapsulation	Number of curies, or milli-curies as specified	I-WHITE or II-YELLOW or III-YELLOW	FOR YELLOW label category only	INDUSTRIAL or TYPE A, or TYPE B
CESIUM 137	III	SPECIAL TYPE A	8.0 mCi	II YELLOW	0.1	TYPE A
AMERICIUM 241:BE	I	SPECIAL TYPE A	40 mCi	II YELLOW	0.1	TYPE A

UN2974

NRC Emergency (301) 816-5100

[Signature]

SHIPPER'S CERTIFICATION FOR RADIOACTIVE MATERIALS
(to be completed in triplicate)

This is to certify that the contents of this consignment are properly described by name and are packed, marked, labeled, and are in proper condition for carriage by air according to all applicable carrier and governmental regulations. (For international shipments add "and to the IATA Restricted Articles Regulations") This consignment is within the limitations prescribed for passenger/cargo (cross out one) carrying aircraft.

Name and address of Shipper *Warren Barse, Home Storage*
local 26995 S Southeastern Ave, Sioux Falls SD
57108

Name and address of Consignee *Warren Barse, Temporary Jobsite -*
Northern Buffalo Packers Plant, 38749 135th Street, Aberdeen
SD 57401

Date *8/10/08*

GAUCE SERIAL NO.

Troxler Model 3411-0

SOURCE SERIAL NO.

Cs 137; 50

Am 241:Be; 47

The following information may be included here for each package of the consignment; if not in must be given in other shipping documents.

NATURE AND QUANTITY OF CONTENT				PACKAGE		
RADIOISOTOPE	GROUP	FORM	ACTIVITY	CATEGORY	TRANSPORT	TYPE
Name of principle radioactive content (enter which ever radio-nuclide is appropriate)	Group number of groups I to VII	Either chemical form plus gas/liquid/solid or special form, or special encapsulation	Number of curies, or millicuries as specified	I-WHITE or II-YELLOW or III-YELLOW	FOR YELLOW label category only	INDUSTRIAL or TYPE A, or TYPE B
CESIUM 137	III	SPECIAL TYPE A	(8.0 mCi) Cs-137 0.3 GBq	II YELLOW	0.1	TYPE A
AMERICIUM 241:BE	I	SPECIAL TYPE A	40 mCi Am-241:Be 1.48 GBq	II YELLOW	0.1	TYPE A

RQ, RADIOACTIVE MATERIAL, SPECIAL FORM, NOS, 7, UN2974, TYPE "A" PACKAGE

****EMERGENCY CONTACT: *NRC Emergency Operations (301) 816-5100*

SIGNATURE

W. Barse

APPENDIX F
SEALED SOURCE 6-MONTH PHYSICAL INVENTORY LOG

[illegible]

Performed by:

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NORTH EAST TECHNICAL SERVICES

75 Aileron Court, Suite 4
Westminster, MD 21157
(410) 751-5090
(410) 751-5091 Fax
1-866-868-2382 Toll Free

Dear RSO,

Enclosed are your badges for the 3rd quarter, 2012. Please look them over and email your changes to melindav@netsnukes.com.

Please gather all your 2nd quarter 2012 badges and return them to me by **July 13, 2012**. Any badges that are not returned to me by this date will be considered a lost/late badge and will be charged \$25.00 per badge. This will also include any control badges not returned.

Badges for the 4th quarter 2012 will go into production by the manufacturer on August 9th. If changes are requested on or after this date, you will be charged for those badges for the 4th quarter of 2012.

If you receive any badges for employees who are no longer with your company, please hold onto them until the end of that quarter and return all badges together. However, please make sure you contact us to delete that employee.

If applicable, for any spare badges that were used, please fill out the enclosed form.

Also, due to problems with the US Postal Service, we suggest that all badges be returned to us via UPS or FedEx. If badges are sent by US mail and are lost, you will be charged for lost badges (\$25.00 per badge).

If you have any questions, please call me at 410-751-5090 or email at melindav@netsnukes.com.

Thank you,
Melinda Verbus