



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

July 20, 2015

Docket No. 03036475

License No. 44-28180-02

Jacques B. Bouramia
Owner
Vermont Testing & Consulting Corporation
P.O. Box 420
Waterbury, VT 05676

SUBJECT: NRC INSPECTION REPORT NO. 03036475/2015001, VERMONT TESTING & CONSULTING CORPORATION, MORETOWN, VERMONT SITE, AND NOTICE OF VIOLATION

Dear Mr. Bouramia:

On June 11, 2015, Dennis Lawyer of this office conducted a safety inspection at your facility in Moretown, Vermont of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. Additional information provided in your correspondence dated June 24, July 2, and 15, 2015, and telephone conversations on June 24 and July 16, 2015, between you and Dennis Lawyer of this office were also examined as part of the inspection. The findings of the inspection were discussed with you at the conclusion of the inspection.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation occurred because portable gauge leak tests were not completed in a timely manner.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC.

During our inspection exit meeting on July 16, 2015, you indicated that you made many improvements in the program. You stated that you have taken corrective and preventative actions to address the violation and that Vermont Testing & Consulting Corporation is committed to radiation safety and to compliance with NRC regulations and licensed conditions. Further, you stated verbally, that you have taken leak tests on June 26, 2015, and the results of the leak tests showed no leakage. To prevent future violations, you stated that you will take leak tests at 11 months from the previous leak test, such that if the leak tests were lost, you could resample within the one year requirement.

The NRC has concluded that information regarding: (1) the reason for the violations; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance will be achieved is already adequately addressed during the inspection as described above. Therefore, you are not required to respond to this letter unless the description therein

does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), 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 website 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.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Please contact Dennis Lawyer at 610-337-5366 if you have any questions regarding this matter.

Sincerely,

/RA/

Blake Welling, Chief
Commercial, Industrial, R&D and Academic
Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
State of Vermont

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Enclosure:
Notice of Violation

cc:
State of Vermont

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NAME	DLawyer/DRL		BWelling/BDW				
DATE	7/17/2015		07/20/15				

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NOTICE OF VIOLATION

Vermont Testing & Consulting Corporation
Waterbury, VT

Docket No. 03036475
License No. 44-28180-02

During an NRC inspection conducted on June 11, 2015, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License condition 13.A. of NRC License No. 44-28180-02 requires, that sealed sources shall be tested for leakage and/or contamination at intervals not to exceed six months or at the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State. The required leak test frequency is 12 months for sources contained in Troxler Electronic Laboratories Model No. 3400 Series.

Contrary to the above, as of June 11, 2015, the licensee did not test their five Troxler Electronic Laboratories Model 3400 series portable gage sources for leakage and/or contamination at intervals not to exceed 12 months, which is the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, a period greater than 12 months. Specifically, the most recent leak test records were of samples taken on July 5, 2013.

This is a Severity Level IV violation (Enforcement Policy Section 6.7).

The licensee stated that the leakage wipe tests were taken in July 2014, and were sent to a laboratory for analysis, but apparently were lost in shipment. The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved, is already adequately addressed on the docket in the letter transmitting the Notice of Violation. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, 03036475/2015001", and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Notice of Violation 2
Vermont Testing & Consulting Corporation

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

Dated This 20 day of July 2015