



Testing Engineers & Consultants, Inc.

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www.testingengineers.com

August 7, 2015

Mr. Aaron McCraw, Chief
Materials Inspection Branch
United States Nuclear Regulatory Commission Region III
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

Re: Response to the Apparent Violation in Inspection
Report No. 03014016/2015001 (DNMS); EA-15-141
Testing Engineers & Consultants, Inc.

Dear Mr. McCraw:

We are providing a written response to the December 29, 2014 letter regarding the NRC Special Inspection Report Inc. No. 03014016/2015001 (DNMS); EA-15-141 – Testing Engineers & Consultants, Inc. (TEC). The apparent violation concerned our staff's failure to secure from unauthorized removal or access licensed materials that were stored in controlled or unrestricted areas and failure to use a minimum of two independent physical controls that form tangible barriers to secure a portable gauge from unauthorized removal and the portable gauge was not under the control and constant surveillance of the licensee. Each issue is described individually in the following pages.

In the Inspection Report, Section 2.2 a. Gauge Security at the Troy Facility, the inspector observed that other building tenants could potentially walk through an unlocked interior door into TEC's space and reach the locked door of the storage room containing the gauges.

(1) *The reason for the violation*

The reason for the violation was the result of a misinterpretation of what constitutes "two independent physical controls" for storage and transportation of the portable devices. When the portable gauges were stored within the locked storage room that was contained within the locked building, it was the interpretation of TEC that this constituted "two independent physical controls."

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All services undertaken are subject to the following policy. Reports are submitted for exclusive use of the clients to whom they are addressed. Their significance is subject to the adequacy and representative character of the samples and the comprehensiveness of the tests, examinations and surveys made. No quotation from reports or use of TEC's name is permitted except as expressly authorized by TEC in writing.

CONSULTING ENGINEERS & FULL-SERVICE PROFESSIONAL TESTING AND INSPECTION
OFFICES IN ANN ARBOR, DETROIT, AND TROY
FOUNDED IN 1966

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(2) *The corrective steps that have been taken and the results achieved*

TEC has also modified the method that is used to secure the portable devices when they are stored in our laboratory. What has not been modified is that the portable gauges will be stored in a locked storage room. What has been modified is that an additional physical control has been implemented. TEC has installed a new door handle with integrated locking mechanism that is completely separate from the existing lock mechanism. In this modified setup, two independent physical controls are used to protect the portable gauges when stored in the cabinet. A photograph that illustrates the modified storage setup is attached to this letter.

(3) *The corrective steps that will be taken to avoid further violations*

TEC field and laboratory staff were also trained in the use of the new double-locked door and retrained in the appropriate way to store the portable gauges in the locked storage room with the double-locked door. All new field and laboratory staff will be trained in the appropriate equipment and methods used to store the gauges in the locked storage cabinet.

(4) *The date that full compliance will be achieved*

At the June 19, 2015 inspection, USNRC personnel verbally informed TEC representatives that an apparent violation may be issued and for what reason. Based on these discussions, TEC immediately began developing and implementing methods to comply with the regulations. As of the date of this letter, August 7, 2015, full compliance with the apparent violation described herein has been achieved.

In Section 3.2.a.1 Package Labeling, the inspector noted that the appropriate DOT labels were not affixed to a portable gauge that was in transport.

(1) *The reason for the violation*

The reason for the violation was oversight. One of the DOT labels had become dislodged from the Type A Package, and it was not noted / corrected.

(2) *The corrective steps that have been taken and the results achieved*

On the date of the inspection, the appropriate label was affixed in the presence of the NRC inspector.

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(3) *The corrective steps that will be taken to avoid further violations*

Since that date, an audit of the gauge labeling was conducted to ensure that the appropriate labels are affixed to each of the gauges that is in service. Going forward, a similar audit will be conducted quarterly to ensure continued compliance. Also, the users have been re-trained regarding inspecting the package labeling requirements, and the daily sign-out sheet has a data entry field to verify that the DOT labels are still intact. Copies of the checkout and audit form are attached to this letter.

(4) *The date that full compliance will be achieved.*

As of the date of this letter, August 7, 2015, full compliance with the apparent violation described herein has been achieved.

In Section 3.2.a.2 Blocking and Bracing, the inspector noted that an Authorized User secured the portable gauge using cables that did not prevent the package from changing position during conditions normally incident to transportation.

(1) *The reason for the violation*

The reason for the violation was that the user used the blocking and bracing equipment that was suitable for a vehicle that was previously used to transport a package to a project site. A different vehicle was used for the demonstration during the inspection

(2) *The corrective steps that have been taken and the results achieved*

Each TEC vehicle has been re-evaluated and re-equipped with the appropriate blocking and bracing hardware. Chains to limit movement of the packages during transport were prepared for each vehicle. Extra chains were prepared for use by all staff, as needed. Representative photographs of the blocked and braced packages in TEC vehicles are attached to this letter.

(3) *The corrective steps that will be taken to avoid further violations*

All TEC employees who are trained and approved to operate the portable gauges will be re-educated on using the appropriate blocking and bracing during transport. Individual gauge operators will be monitored by the RSO to ensure that the users maintain compliance with security requirements.

(4) *The date that full compliance will be achieved.*

As of the date of this letter, August 7, 2015, full compliance with the apparent violation described herein has been achieved.

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Closure

TEC swiftly and effectively planned and implemented corrective action for issues that were raised in a prior inspection. We believe that the corrective actions described herein are suitable corrective actions resulting from the June 2015 inspection.

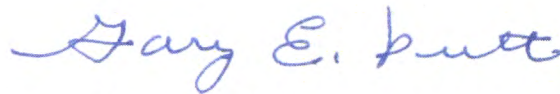
If you have any questions, or require any additional information, please contact the undersigned at your convenience.

Respectfully submitted,

TESTING ENGINEERS & CONSULTANTS, INC.



William J. West, PE
Manager, Construction Services



Gary E. Putt, PE
RSO

GEP/WJW/ln

cc: TEC, Katherine Banicki, President

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Photograph 1
Storage Room with Double-Locked Door



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Nuclear Gauge Inventory

Date: August, 2015

Gauge ID	Model No.	Acquire Date	Gauge Location	Status (In or Out of Service)	Package Labels
15365	3411	1988	Ann Arbor	In Service	OK
15366	3411B	1988	Troy	Out of Service	-
15520	3411B	1988	Troy	Out of Service	-
15764	3411B	1988	Troy	In Service	OK
15765	3411B	1988	Troy	Out of Service	-
16030	3411	1988	Ann Arbor	In Service	OK
16031	3411B	1988	Troy	Out of Service	-
17534	3440	1988	Ann Arbor	Out of Service	-
26289	3430	1988	Troy	In Service	OK
26290	3430	1996	Troy	In Service	OK
26291	3430	1996	Troy	In Service	OK
26294	3430	1996	Troy	In Service	OK
26295	3430	1996	Troy	In Service	OK
30038	3430	1999	Ann Arbor	In Service	OK
30041	3430	1999	Troy	In Service	OK
30042	3430	1999	Troy	In Service	OK
30043	3430	1999	Troy	In Service	Type A Sticker needed replacement
30044	3430	1999	Troy	In Service	Type A Sticker needed replacement
35967	3430	2005	Troy	In Service	OK
35968	3430	2005	Troy	In Service	OK
36032	3430	2005	Ann Arbor	In Service	OK
37143	3430	2005	Troy	In Service	OK
37144	3430	2005	Troy	In Service	OK



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Nuclear Gauge Inventory

Date: August, 2015

Gauge ID	Model No.	Acquire Date	Gauge Location	Status (In or Out of Service)	Package Labels
342	3430		Troy	Out of Service	-
8216	3411		Ann Arbor	In Service	OK
11761	3411B	1985	Troy	Out of Service	-
11762	3411	1985	Ann Arbor	In Service	OK
11763	3411B	1985	Troy	Out of Service	-
11764	3411B	1985	Troy	In Service	OK
11765	3411B	1985	Troy	Out of Service	-
12029	3411B	1985	Troy	Out of Service	-
12030	3411	1985	Ann Arbor	In Service	OK
12033	3411B	1985	Troy	In Service	OK
12034	3411	1985	Ann Arbor	In Service	OK
12349	3411B	1985	Troy	Out of Service	-
12351	3411B	1985	Troy	Out of Service	-
12352	3411B	1985	Troy	In Service	OK
12353	3411B	1985	Troy	Out of Service	-
13322	3411B	1986	Troy	Out of Service	-
13325	3411	1986	Ann Arbor	In Service	OK
13326	3411B	1986	Troy	Out of Service	-
14034	3440	1987	Ann Arbor	Out of Service	-
14035	3440	1987	Ann Arbor	Out of Service	-
14044	3411B	1987	Troy	In Service	OK
14112	3411B	1987	Troy	Out of Service	-
14195	3411B	1987	Troy	In Service	OK
14198	3411B	1987	Troy	In Service	OK
14443	3411	1987	Ann Arbor	Out of Service	-
14444	3411B	1987	Troy	In Service	OK
14445	3411B	1987	Troy	Out of Service	-
14446	3411	1987	Ann Arbor	In Service	OK
14447	3411B	1987	Troy	In Service	OK
14448	3411	1987	Ann Arbor	In Service	OK

Density Gauge Checkout Log

Date _____

User	Gauge Serial No.	TEC Job # / Project Site	Time Out	Time In	Shipping Papers	Package Stickers

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Photographs 2 and 3
Example Blocking and Bracing for 3411 Style Gauges

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Photographs 4 and 5
Example Blocking and Bracing for 3430 Style Gauges