PATRIOT ENGINEERING and Environmental, Inc.
Engineering Value for Project Success
Consulting Environmental, Geotechnical and Materials Engineers

June 7, 2016

Mr. John B. Giessner, Director
US Nuclear Regulatory Commission, Region III
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

Re: Response to the Apparent Violation in
Inspection Report No. 03037878/2016001(DNMS); EA-16-075

Mr. Giessner;

In response to your letter dated May 10, 2016 and received by Patriot on May 16, 2016, Patriot has elected to respond in writing to the apparent violations addressed in the inspection report referenced above. Our decision to respond in writing was conveyed to Mr. Aaron McCraw via telephone on May 20, 2016, within the 10 day notification requirement.

Patriot does not dispute the facts as presented in the notice of violation. The details as listed in the executive report clearly identified two failures in our system of controls and protocols. The first violation cited was a result of carelessness by our technician in the field who failed to maintain constant surveillance and control of the nuclear density gauge. The second violation cited was the result of inaccessibility of our Corporate RSO, Mr. Bryan King, and a faulty decision made by our laboratory manager in his absence. It should be noted the incident occurred after normal business hours. Patriot's laboratory manager was ultimately contacted and did try to assess the damage to the gauge through photos taken and emailed immediately following the incident by our technician, Patriot did not properly assess the situation by determining the radiation levels at the construction site where the incident occurred by using a calibrated radiation detection instrument prior to removing the gauge from the construction site.

6150 East 75th Street, Indianapolis, Indiana 46250
(317) 576-8058 • (317) 576-1965 FAX • www.patrioteng.com
RECEIVED JUN 13 2016
Offices in Indianapolis, Evansville, Fort Wayne, Lafayette, Bloomington and Terre Haute, IN, Louisville, KY, Dayton / Cincinnati, OH, Nashville, TN, Carmi, IL, and New Orleans, LA

To address violation of 10 CFR 20.1802 and 10 CFR 30.34(i), Patriot's Corporate RSO has implemented retraining of authorized gauge users at our branch offices regarding the importance of security and handling of the gauges. An example of a training session "sign in" sheet is attached for the Indianapolis office. The Corporate RSO has stressed constant surveillance and immediate control when a gauge is in use and specifically, a minimum of two independent physical controls when the gauge is not in use. We anticipate having all of our authorized gauge users at our branch locations retrained by June 30th. Second, our Indianapolis field technician supervisor, Mr. Chris Rodgers, has completed the RSO training, (certificate attached), and will be the designated RSO for all gauge users who work out of the Indianapolis office. As the gauge users interact with the field supervisor, (our new Indianapolis RSO), on a daily basis there will be greater attention paid to the proper use, transportation and security of the gauges. Third, our new Indianapolis RSO and our radiation safety trained project managers will be making periodic site safety inspections; an example of a completed form is attached for your review. Our final corrective action was the retraining of the authorized gauge user involved in the incident (A copy of recertification of training is attached).

To address violation LC21, Patriot's Corporate RSO has implemented training of materials testing and inspection personnel at all offices regarding how to respond to an emergency or unusual situation regarding our gauges. Second, Patriot has purchased additional calibrated radiation detection equipment for our branch offices. These additional instruments will be made available to our employees in our branch offices. Third, our employees have been instructed to call 911 and ask for assistance in obtaining a survey meter if a branch meter is not available, should an incident should occur.

We believe these corrective actions will result in a greater focus on the safe and secure handling of our gauges that will bring us into compliance with the regulations required of our gauge license. As of the date listed on this letter these corrective actions have been implemented/completed.

Patriot is committed to demonstrating compliance with the regulation requirements of our license and considers radiation safety for human health and the environment a top priority. It is our hope and desire that our actions and response to the incident demonstrate our commitment to compliance and taken into consideration regarding any penalties that may be assessed against Patriot

If you have any questions or we can provide any further information, please do not hesitate to contact us.

Respectfully,

PATRIOT ENGINEERING & ENVIRONMENTAL, INC.

Bryan King
Corporate RSO

James T. Sherer, PE
President

March 2016 Safety Meeting

Safety Topic: Nuke Gauge Safety Technical Topic:

Employee Name	Signature
Adam Neal	
Alex Duvall	
Bill Porter	
Brad Drennan	
Brandy Davis	
Brit Riggins	
Bruce Craig	
Caleb Nickel	
Chris Davis	
Chris Vail	
CJ Eastman	
Colin Snyder	
Diana Crenshaw	
Joe Ellson	
John Stillabower	
Josh Dosztan	
Josh Snyder	
Kevin Byrd	
Kevin Matthews	
Landry Anderson	
Pat Bruce	
Randy Sanders	
Ray Monday	
Rick Olessker	
Roger Bond	
Ronald Clark	
Simon Mitchell	
C SCHELLERMANN	
HAROLD ROYALKOPIE	

E-MAILED

E-MAILED

APNGA
Certificate of Achievement

This confirms that

Chris Rodgers

Has successfully completed the APNGA Portable Nuclear Gauge

Radiation Safety Officer Class

on this day

June 3, 2016

American Portable Nuclear Gauge Association
P.O. Box 423, Emmitsburg, MD 21727 • www.apnga.com

George E. Marshall - Director
240-888-6426

EQVNkcyaPl

PATRIOT ENGINEERING and Environmental, Inc.
6150 East 75th Street
Indianapolis, Indiana 46250
Phone (317) 576-8058 Fax (317) 576-1965

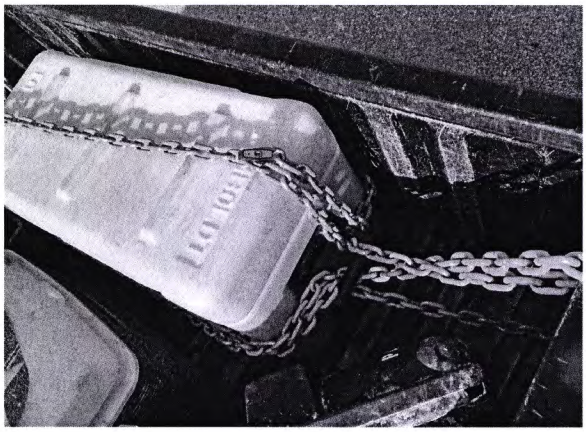
NUCLEAR DENSOMETER SITE SAFETY INSPECTION

Technician:	Briton Riggins	**Patriot Rep:**	Charlie Scheuermann
Location:	Community Hospital East	**Date:**	4/25/2016
Make:	Humboldt	**Time:**	8:45 AM
Serial No.:	246		

At time of inspection:

Technician is certified to operate gauge	YES	NO	NA
Gauge is signed out to technician	YES	NO	NA
Gauge is locked up or in control of technician	YES	NO	NA
To gain access to the locked/stored gauge, two independent lock systems must be defeated	YES	NO	NA
Case is secured to truck bed at two locations or to car trunk at one location	YES	NO	NA
Current leak test in vehicle and readily accessible	YES	NO	NA
Bill of lading in vehicle and readily accessible	YES	NO	NA
Instruction Manual in vehicle and readily accessible	YES	NO	NA
Gauge license in vehicle and readily accessible	YES	NO	NA

Photographs and Comments



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NUCLEAR DENSOMETER SITE SAFETY INSPECTION

Technician: _____ **Patriot Rep:** _____

Location: _____ **Date:** _____

Make: _____ **Time:** _____

Serial No.: _____

At time of inspection:

Technician is certified to operate gauge	YES	NO	NA
Gauge is signed out to technician	YES	NO	NA
Gauge is locked up or in control of technician	YES	NO	NA
To gain access to the locked/stored gauge, two independent lock systems must be defeated	YES	NO	NA
Case is secured to truck bed at two locations or to car trunk at one location	YES	NO	NA
Current leak test in vehicle and readily accessible	YES	NO	NA
Bill of lading in vehicle and readily accessible	YES	NO	NA
Instruction Manual in vehicle and readily accessible	YES	NO	NA
Gauge license in vehicle and readily accessible	YES	NO	NA

Photographs and Comments

APNGA Portable Nuclear Gauge Safety & U.S. D.O.T. Hazmat Certification Class

Certificate of Completion to:

Brad Drennan

HAZMAT refresher training is required within 3 years after today's date:

March 9, 2016

This course covers training criteria of NUREG 1556, The Agreement States, and 49 CFR 172, Subpart H.

The Company RSO completes the training requirements by familiarizing the employee with:

- State specific regulations including introduction to the state regulatory website
- The company radiation safety program, specifically gauge safety operating and emergency procedures
- A tour of storage area with emphasis on security, documents and postings
- Loading, security and transporting gauges in company vehicles
- Hands-on training with the gauge and methods in use by the company
- Introduction to gauge safety content on gauge manufacturer website
- Certificate covers both Gauge Safety and USDOT HAZMAT requirements

The acknowledgement and signature of the RSO/Official makes the training and certificate relevant and valid.

Company Name

Signature of RSO

Director of APNGA

American Portable Nuclear Gauge Association
P.O. Box 423, Emmitsburg, MD 21727 • www.apnga.com

NYqAenwCBg

George E. Marshall - Director
240-888-6426

PROFORMA INVOICE

S.E. International, Inc
436 Farm RD PO Box 39 Summertown, TN 38483
radiationinfo@seintl.com www.seintl.com
Ph: 800-293-5759 Fax: (931) 964-3564
FEIN#62-1200947

0029169

6/6/2016

Sold To:

PATRIOT ENGINEERING & ENVIRONM
6150 EAST 75TH STREET STE 216
Indianapolis, IN 46250-2700
United States

Ship To:

PATRIOT ENGINEERING & ENVIRONM
6150 EAST 75TH STREET STE 216
Indianapolis, IN 46250-2700
United States

Ship VIA	F.O.B.	Terms	Customer P.O.
UPS	FACTORY	PREPAID	QUOTE#29169

Item Code	Description	Ordered	Shipped	Back Order	Price	Amount
M4CPM	RADIATION ALERT MONITOR 4 CPM	3	0	0	375.00	1,125.00

Sub-Total:	1,125.00
Tax:	0.00
Shipping:	21.86
Total:	1,146.86
Prepaid Amt:	0.00
Net To Pay	1,146.86

ALL PRICES US DOLLARS

Bank Wire Info: S.E. International, Inc.
Bank: Regions Bank
Address: PO Box 681 Birmingham, AL 35201
Account #: 0158742808
Routing for Wires #062005690
Routing # for Electrical/ACH Payments 064000017
SWIFT Code: UPNBUS44

This quotation is valid for **90 days**
then subject to change w/o notice
ALL CUSTOMS, DUTIES, TAXES, ETC. ARE ADDITIONAL
CUSTOMER RESPONSIBLE FOR ALL IMPORT/EXPORT FEES

Payment may be made by VISA, Mastercard, AmEx, Discover, Bank wire, or US Bank check.

We are pleased to submit the above quotation for your consideration.
Should you place an order, be assured it will receive our prompt attention
THANK YOU FOR YOUR CONSIDERATION!

Bryan King

From: Shipping@SEIntl.com
Sent: Wednesday, June 08, 2016 10:17 AM
Subject: Shipment Notification

SHIPMENT INFORMATION

Delivery Document No : 0069006
Job Number : 0029169

Ship Date : 06/08/2016
PO Number : CC

From :
SE International, Inc.
Lily Rohrbach
436 Farm Road
Summertown
TN - US - 38483
9319643561

To:
PATRIOT ENGINEERING & ENVIRONM
BRYAN KING
6150 EAST 75TH STREET STE 216
Indianapolis
IN - US - 46250-2700
(317) 576-8058

Carrier :
UPS

Service :
UPS Ground

Total Weight :
4 LBS

Tracking No :
1Z3150980398425734

No of Packages: 1

Package1 - WEIGHT : 4 LBS

TRACKING # : 1Z3150980398425734

ITEM #	DESCRIPTION	QUANTITY
1	Box	3