



AMERICAN
ENGINEERING
TESTING, INC.

CONSULTANTS
● ENVIRONMENTAL
● GEOTECHNICAL
● MATERIALS
● FORENSICS

November 1, 2016

Mr. John B. Giessner, Director
Division of Nuclear Materials Safety
United States Nuclear Regulatory Commission
Region III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

Re: Response to the Apparent Violation; EA-16-152
Inspection Report No. 3-2015-018

Dear Mr. Giessner:

Per the United States Nuclear Regulatory Commission (NRC) letter dated October 6, 2016, American Engineering Testing, Inc., (AET) respectfully submits this written response to the NRC - Region III Investigation Report No. 3-2015-018 and Notice of an Apparent Violation; EA-16-152.

The written response requires AET to provide your office with the following information:

1. The reason for the apparent violation, or, if contested, the basis for disputing the violation or severity level.
2. The corrective steps that have been taken and the results achieved.
3. The corrective steps that will be taken to avoid further violations.
4. The date when full compliance will be achieved.

The Apparent Violation and AET's responses are set forth below:

Apparent Violation

The apparent violation documented in the NRC Factual Summary of Office of Investigation Report 3-2015-018 involves a deliberate failure to conduct radiography at a temporary job site with at least two qualified individuals, as required by Title 10 of the Code of Federal Regulations (CFR) Section 34.41(a).

The apparent violation was caused by a trained radiographer willfully and deliberately violating the two-person rule.

AET's Corrective Steps and Results Achieved

Upon AET determining a radiographer willfully and deliberately violated the two-person regulation, and disregarded that provision in both AET's Radiation Safety Manual and company provided safety training, the radiographer was promptly terminated.

As part of our investigation of this incident, AET performed an internal evaluation which included a review of radiography field reports and interviews with existing and former staff who had performed radiography at Industrial Steel Construction, Inc. (ISC) in Gary, Indiana. Each individual

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interviewed was informed that they might be contacted by the NRC for additional information or clarification. The results of that review confirmed that AET staff was aware of and followed the two-person rule, with the exception of this incident.

The NRC Factual Summary Report 3-2015-018 states that the radiographer testified "that he felt extremely pressured, and it was more important to complete the work than follow NRC regulations". AET wishes to point out that statements made by current and former staff during the interview process contradict that assertion. Staff stated that our radiography crew works with the ISC QA staff to prioritize the work and if all the scheduled work cannot be completed during the shift, it is performed during the following shift. They also stated that they would not consider violating the regulations in order to complete the work.

The review further supported our belief this was an isolated incident and that the violation was the direct result of an individual who intentionally chose to disregard regulations, company policy and training.

AET's Corrective Actions to Avoid Further Items of Noncompliance.

AET is committed to complying with NRC regulations. Our RSO and NDT Division Manager discussed the violation with the CEO of AET. In addition to the immediate termination of the radiographer involved, the RSO discussed the event and reinforced the two-person rule requirement at our annual radiographers refresher training held at ISC in Gary, Indiana on February 6, 2015, and again on February 9, 2016. When we receive the final NRC enforcement finding, we will include that as part of our 2017 annual radiographers refresher training.


We will also perform unannounced audits at the ISC facility.

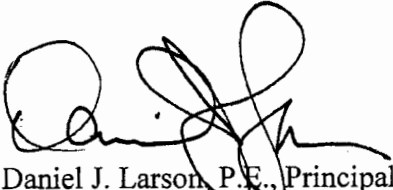
AET's Full Compliance Time Line

The radiographer who willfully and deliberately violated the two person rule was dismissed on February 3, 2015.

If you need additional information or have questions in regards to this correspondence, please feel free to contact me at any time.

Sincerely,
American Engineering Testing, Inc.


Gregory C. Owens, P.G., CWI
Corporate Radiation Safety Officer
Phone: (715) 359-3534
gowens@amengtest.com


Daniel J. Larson, P.E., Principal
Chief Executive Officer
Phone: (651) 659-1337
dlarson@amengtest.com