



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

July 14, 2020

EA-18-124

Mr. David P. Tebo
Corporate Radiation Safety Officer
TEAM Industrial Services, Inc.
200 Hermann Drive
Alvin, TX 77511

SUBJECT: ATOMIC SAFETY AND LICENSING BOARD PANEL ORDER 20-964-02-EA-BD01

Dear Mr. Tebo:

This letter refers to the February 21, 2020, Settlement Agreement between the U.S. Nuclear Regulatory Commission (NRC) and TEAM Industrial Services, Inc. (TEAM), approved in the NRC's Atomic Safety and Licensing Board's Memorandum and Order (Granting Joint Motion to Approve Settlement and Terminating Proceeding) (Order) (Agencywide Documents Access and Management System (ADAMS) Accession ML20052D256).

In accordance with Condition 1 of the Order, TEAM was required to develop and implement a computer-based training (CBT) module on NRC regulations, including the NRC's prohibition of deliberate misconduct, consequences for violating NRC regulations, the incident underlying NRC Enforcement Action EA-18-124, and lessons learned from the incident.

In accordance with Condition 2 of the Order, within 3 months of February 21, 2020, TEAM will submit the CBT module for NRC review. In good faith, TEAM attempted to submit the CBT module to the NRC on May 20, 2020, and therefore, is considered timely in its response to the Order (ADAMS Accession ML20174A343).

Condition 2 of the Order further states, in part, that the NRC will provide any comments to TEAM on the CBT module within 30 days from the date of the submittal to the NRC. Electronic file sharing difficulties resulted in NRC receiving the CBT module on June 1, 2020, which is the date that the NRC was able to start its review of the CBT module. The NRC's comments on the approximately 54-minute long CBT module and associated quiz were discussed with you telephonically on July 1, 2020, and are provided in the enclosure to this letter.

Condition 2 of the Order states, in part, that TEAM will consider the NRC's suggestions on the training content and incorporate those suggestions that TEAM agrees are appropriate and that do not extend the length of the module beyond 1 hour of time to complete.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, should you choose to provide one, will be

made available electronically for public inspection in the NRC Public Document Room or from 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>.

Should you have any questions regarding this letter or its Enclosure, please contact Dr. Janine F. Katanic, CHP, at 817-200-1151, or the undersigned at 817-200-1455.

Sincerely,

Patricia A. Silva, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No.: 030-35252
License No.: 42-32219-01

Enclosure:
NRC Comments on TEAM CBT Module

cc:
Charlotte Sullivan, Manager
Regulatory Licensing Unit
MC 2835
Texas Department of State Health Services
P.O. Box 149347
Austin, TX 78714-9347

ATOMIC SAFETY AND LICENSING BOARD PANEL ORDER NO. 20-964-02-EA-BD01 -
DATED JULY 14, 2020**DISTRIBUTION:**

S. Morris, RA
T. Vogel, DRA
R4DNMS_MIB
M. Muessle, D/DNMS
L. Howell, DD/DNMS
J. Groom, ORA
J. Kramer, ORA
A. Roberts, ORA

ADAMS ACCESSION NUMBER:

X SUNSI Review

ADAMS:

☐ Non-Publicly Available

X Non-Sensitive

Keyword:

By: JFK

X Yes ☐ No

X Publicly Available

☐ Sensitive

OFFICE	DNMS:MIB	C:MIB				
NAME	JFKatanic	PASilva				
SIGNATURE	/RA/	/RA/				
DATE	7/8/2020	7/8/2020				

OFFICIAL RECORD COPY

NRC Comments on TEAM CBT Module

The TEAM CBT module was submitted to the NRC in multiple parts: P1, P2, P3.1, P3.2, and P4. Because the majority of the slides in the CBT module did not have corresponding slide numbers, the NRC comments below are provided in relation to the CBT module part and the approximate time stamp for the corresponding slide. Comments regarding typographical errors in the CBT module were discussed with TEAM on July 1, 2020, and are not provided below. Comments below are focused to the technical content of the CBT module and its consistency with the requirements of the Order.

CBT Part	Approximate Time Reference (in minutes)	Comment	Type of Content
P1	1:13	The slide states that the NRC does not have regulatory authority over material produced in accelerators. Please note that the definition of <i>byproduct material</i> in 10 CFR 30.4 includes any material that has been made radioactive by the use of a particle accelerator.	Slide text
P1	1:49	The Agreement State map in the slide is not current. Please see https://scp.nrc.gov/rulemaking.html for a current graphic. Please note that Wyoming is an Agreement State but only for byproduct material as defined in Section 11 e.(2) of the Atomic Energy Act and for source material involved in the extraction or concentration of uranium or thorium in source material or ores at milling facilities.	Slide graphic
P1	2:45	Because TEAM is also authorized in its NRC license for the possession and use of portable nuclear gauges, consider including portable nuclear gauges in the list of activities subject to 10 CFR Part 19.	Slide text
P2	00:45	Because TEAM is also authorized in its NRC license for the possession and use of portable nuclear gauges, consider including portable nuclear gauges in the list of activities subject to 10 CFR Part 20.	Slide text
P2	2:48	The audio content states that “female workers must declare to the licensee in writing when they become pregnant.” However, this is not consistent with the NRC’s regulations. 10 CFR 20.1003 defines <i>declared pregnant woman</i> , in part, as a woman who has voluntarily informed the licensee, in writing of her pregnancy and the estimated date of conception. Please refer to NRC Reg Guide 8.13, “Instruction Concerning Prenatal Exposure” for further guidance on this subject. https://www.nrc.gov/reading-rm/doc-collections/reg-guides/occupational-health/rg/division-8/division-8-1.html	Audio content
P2	4:15	The slide addresses 10 CFR 20.1502(a). Consider adding emphasis to the slide text and/or audio content addressing “licensed and unlicensed radiation sources” to remind industrial radiographic personnel that individual monitoring devices shall be worn for licensed activities involving gamma industrial radiography as well as unlicensed activities such as x-ray industrial radiography.	General

CBT Part	Approximate Time Reference (in minutes)	Comment	Type of Content
P2	6:49	The slide refers to the posting requirements in 10 CFR 20.1902. Consider adding slide text or a reference to the definitions of <i>radiation area</i> , <i>high radiation area</i> , and <i>very high radiation area</i> in 10 CFR 20.1003.	General
P2	7:20	The slide text includes a reference to 10 CFR 20.1906(b) but does not provide the content or context of the regulation.	Slide text
P2	9:24	The slide contains a reference to 10 CFR Part 20, Subpart M – Reports, but does not provide any content regarding the regulatory requirements. Consider expanding the section on Subpart M and/or providing audio content to emphasize the types of reportable events that can occur or have occurred related to industrial radiography.	Slide text and audio content
P3.1	General	Part 3.1 discusses various regulations in 10 CFR Part 30, but does not include a discussion of 10 CFR 30.50, Reporting requirements. Consider adding slide text and/or audio content to describe the reporting requirements in 10 CFR 30.50. Consider describing the types of reportable events that can occur or have occurred related to industrial radiography.	General
P3.2	16:36	The slide text mentions the reporting requirements in 10 CFR 30.50, but the CBT module does not include content on 10 CFR 30.50.	General
P4	2:29	The slide describes the TEAM equipment inspection related to the incident aboard the USS Harper's Ferry. Consider adding photographs of the industrial radiography camera locking mechanism "plunger lock" indicating the locked and unlocked configuration.	General
P4	6:04	The slide describes "What Went Wrong" related to the incident aboard the USS Harper's Ferry. Three items are provided related to: the distraction of the radiographer, failing to recognize the unlocked condition, and failing to follow procedure. However, TEAM Safety Bulletin #498, which was issued by TEAM in response to the Order, also cites "pressure from the client / time sensitive job" as a contributing factor to the incident. Consider making the CBT module consistent with TEAM Safety Bulletin #498.	General
P4	10:56	Consider adding a slide at the end of the CBT module providing resources, such as the name and contact information for the Radiation Safety Officer for any questions regarding the CBT module or its content.	General