

May 8, 2008

Via Certified Mail: 7007 1490 0003 6013 2388

U.S.N.R.C.  
Washington, DC

Attention: Document Control Desk

Subject: Reply to a Notice of Violation

This reply to a Notice of Violation is based on a NRC inspection at a temporary job site in Anchorage, Alaska of Kakivik Asset Management (Kakivik) personnel. Specifically on December 3, 2007, the licensee transported a 79 curie Ir<sup>192</sup> source in a radiography exposure device on public highways and the shipping papers did not contain an emergency response telephone number.

### Reason for the Violation

Kakivik's Materials License was originally granted to perform radiography on a client owned lease on the North Slope of Alaska. The Exclusive Use document was a "cut and paste" document that was created in the 1990's and never had an emergency number posted on it. This document has been audited by the NRC for many years and the lack of an emergency number was never questioned.

When Kakivik opened other offices and began transportation of exposure devices on public highways no thought was given to the need of an emergency number being required on this document.

The Kakivik personnel performing the radiography in Anchorage on December 3<sup>rd</sup> were permanently assigned to the North Slope and they prepared their paper work based on their North Slope experience.

### Corrective Actions

Based on discussions with the Radiographic Safety Supervisors (RSS), the corrective action on the part of the previous RSO was to insert an emergency contact number on the Exclusive Use document.

After discussion with the NRC on April 2<sup>nd</sup> a memo was sent to all offices by the present RSO that required additional emergency contact numbers pertinent to the shipping office is posted on HazMat paper work.

The auditors cautioned that the emergency numbers must be monitored 24/7 during transportation. The RSO emergency contact number is a cell phone. Due to the inability of the RSO to remain in cell phone repeater range, Kakivik is entering into a registry agreement with Chemtrec. This nationally recognized emergency



Communication Center will insure that there is 24/7 monitoring and availability of emergency response per 49 CFR 172.604.

All shipping and transportation paper work will have this emergency number placed on the document.

### **Further Corrective Actions**

There will be a memo issued detailing the events of the violation and it's corrective actions. This memo will be discussed with all personnel in the Radiation Safety program, either by the RSO or the Site RSS, and tracked with rosters.

The upcoming DOT/IATA refresher training will include specific references to contact numbers and the responsibilities of monitoring these numbers.

### **Compliance Dates**

Registration with Chemtrec will be initiated and faxed the date of this letter. All offices will be immediately issued the registration number and contact number when it is received.

All Kakivik forms requiring a HazMat emergency response number will be updated and issued within five business days, when the registration is finalized.

Refresher training for DOT/IATA requirements will be completed by the end of 2008 as part of Kakivik's Annual Refresher training requirements. This training is monitored by rosters to insure compliance.

Should there be additional information required or there are questions, please feel free to contact this office.

Sincerely,

Keenan E. Remele  
Radiation Safety Officer

Direct: 907.770.9421  
Cell: 907.632.7305  
Office: 907.770.9400  
Fax: 907.770.9405  
Email: kremele@kakivik.com

CC: Regional Administrator, Region IV, Arlington, Texas  
via Certified mail 7007 1490 0003 6013 2357