



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

January 6, 2012

Docket No. 03012771

License No. 08-17447-01

Gary T. McMahan
Director, Occupational Safety & Health
Department of Homeland Security
Border & Transportation Security Directorate
U.S. Customs & Border Protection Bureau
1300 Pennsylvania Avenue, N.W.
C/O 1400 L Street, N.W., 9th Floor
Attn: Occupational Safety & Health Division -IND
Washington, DC 20229

SUBJECT: NRC INSPECTION REPORT NO. 03012771/2011003, DEPARTMENT OF
HOMELAND SECURITY, PORT HURON MICHIGAN PORT OF ENTRY, PORT
HURON, MICHIGAN

Dear Mr. McMahan:

On November 21, 2011, and continued in-office until December 16, 2011, Randolph C. Ragland, Jr., of this office conducted a safety inspection at the Port Huron Michigan, Port of Entry, of activities authorized by the above listed NRC license. The inspection included a routine review of your licensed program with special emphasis on Customs and Border Protection Bureau's (CBP) policies and procedures for performing scans of vehicles where the area to be scanned is immediately adjacent to an occupied cab area. The findings of the inspection were discussed with Steven Tilden, Radiation Safety Officer, of your organization at the conclusion of the inspection. The enclosed report presents the results of this inspection.

Within the scope of this inspection, no violations of NRC requirements were identified. However, we did note that one self-identified violation of CBP's internal procedures resulted in an inadvertent radiation exposure to a member of the public. The procedure violation occurred on October 8, 2011, when a CBP Officer failed to ensure that no one was present in the back of a truck cab prior to initiating a scan. As a result, a member of the public received a small dose of radiation which was determined to be below the NRC public dose limit of 100 mrem. Because the exposure was not intentional and was determined to be below the limit permitted by NRC regulations, this inadvertent exposure event does not represent a violation of NRC requirements.

In response to this event, the following corrective and preventative actions were taken: 1) a dose assessment was performed that determined that the inadvertently exposed individual received a dose that was below the NRC public dose limit; 2) the Officers involved were counseled; and 3) an e-mail was sent to all CBP Port Huron staff and daily briefings were conducted that emphasized the importance of proper communications and procedural adherence.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its

enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

No reply to this letter is required. Please contact Randolph Ragland at 610-337-5083, if you have any questions regarding this matter.

Sincerely,

Original signed by Blake D. Welling

Blake Welling, Chief
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

Enclosure:
Inspection Report No. 03012771/2011003

cc:
Steven Tilden, Radiation Safety Officer
Robert J. Bonack, Area Director
District of Columbia

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NAME	RRagland RCR*		SLodhi SL*	BWelling BDW		
DATE	1/4/2012		12/29/2011	01/06/12		

*see prior concurrence
ML120060040 – Ltr; ML120060031 - Rpt

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