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Clendenin Consulting & Remediation Group

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January 11, 2004<sup>5</sup>

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555

Subject: Inspection 03034863/2004001  
Reply to a Notice of Violation

Clendenin Environmental & Geotechnic Consultants, Inc. acknowledges receipt of your Notice of Violation, Docket No. 03034863 dated December 22, 2004. We acknowledge that the shipping papers for our nuclear gauges reflected an old material identification number that had been changed effective October 1, 2003. In accordance with 10 CFR 2.201 we offer the following statement.

Royce Brodie, Construction Services Manager revised the shipping papers to reflect the correct identification number UN3332 and added the NRC's Headquarters Operations Center phone number 301-816-5100 and Region 1 phone number 800-432-1156. The old shipping papers were then removed from each truck, gauge case and the central office file and replaced with the new shipping papers. Copies of the revised pages are enclosed. As of the date of this letter full compliance has been achieved.

To avoid this from reoccurring, we will contact the DOT electronically or by phone every six months and ask if there have been regulatory changes since our last inquiry. We will specifically ask about the CN numbers for the transportation of radioactive materials. Any relevant changes in VDOT regulations will be reviewed every six months.

Sincerely,

CLENDENIN ENVIRONMENTAL & GEOTECHNIC CONSULTANTS, INC.

Bruce E. Clendenin, CPG  
President

Cc: Regional Administrator, Region I

IE07

Clendenin Environmental & Geotechnic Consultants, Inc.

116-I EDWARDS FERRY ROAD • LEESBURG, VIRGINIA 20176 • TEL:703/771-8816 • METRO:703/478-8629 • FAX:703/771-8825

TROXLER NUCLEAR GAUGE EMERGENCY RESPONSE INFORMATION REQUIRED FOR  
..... TRANSPORTATION

1. PROPER SHIPPING NAME:  
RADIOACTIVE MATERIAL, SPECIAL FORM, NOS 7, UN3332

POTENTIAL HAZARDS

2. HEALTH HAZARDS

- \*Radiation presents minimal risk to lives of persons during transportation accidents.
- \*Undamaged packages are safe; damaged packages or materials released from packages can cause external radiation hazards. Contamination is not suspected.
- \*Packages (cartons, boxes, drums, articles, etc.) identified as "Type A" by marking on packages or by shipping papers contain non-life endangering amounts. Radioactive sources may be released if packages are damaged in moderately severe accidents.
- \*Packages (large and small, usually metal) identified as "Type B" by marking on packages or by shipping papers contain potentially life endangering amounts. Because of design, evaluation, and testing of packages, life endangering releases are not expected in accidents except those of utmost severity.
- \*Commonly available instruments can detect most of these materials.
- \*Water from cargo fire control is not expected to cause pollution.

3. FIRE OR EXPLOSION

- \*Packagings can be consumed without content loss from sealed source capsule.
- \*Radioactive source capsules and Type B packages are designed to withstand temperatures of 1475 degrees F (800 degrees C).

EMERGENCY PROCEDURES

4. Lost or stolen gauge.

1. Call the company RSO, Bruce Clendenin at 703-771-8816 or cell at 703-932-1478.
2. Call regulatory authority at 301-816-5100 (NRC Operations Center) and 800-432-1156 (Region I).
3. Option, in case RSO cannot be reached. Call Troxler's Emergency Response Service at 919-549-9539.

5. Damaged Gauge

1. Secure the area using caution tape or flagging
2. Call RSO, Bruce Clendenin at 703-771-8816 or cell at 703-932-1478.
3. Stand by until relieved by RSO.
4. Contact at earliest practical time National Response Center, USDOT at 800-424-8802 to report if accident occurs during the course of transportation on public roads. .

## BILL of LADING

Shipper: Clendenin Environmental & Geotechnic Consultants, Inc.  
116-I Edwards Ferry Road  
Leesburg, VA 20176

RQ, RADIOACTIVE MATERIAL, SPECIAL FORM, NOS, 7, UN3332 TYPE "A".  
PACKAGE CONTAINING

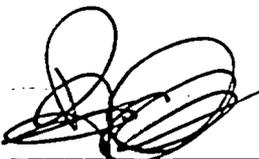
Cs-137 0.3 GBq (8 mCi)  
Am-241: Be 1.48 GBq (40 mCi)

RADIOACTIVE YELLOW II LABEL, TI = 0.3

\*\*\*\* TROXLER EMERGENCY CONTACT: (919) 549-9539\*\*\*\*

THIS IS TO CERTIFY THAT THE ABOVE-NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED AND LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.

SHIPPER



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