



US Department
of Transportation
Federal Highway
Administration

Research, Development, and Technology

January 21, 2005

Turner-Fairbank Highway
Research Center
6300 Georgetown Pike
McLean, VA 22101-2296

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

RE: Reply to a Notice of Violation. Docket No. 03028770. License No. 45-23090-01

Dear Sirs:

This is in reply to your letter of December 27, 2004, citing this office with two violations of Nuclear Regulatory Commission (NRC) requirements. These Severity Level IV violations were identified as a result of an inspection of our facility and radiation safety program on November 30, 2004.

The first violation cited this office for employing an incorrect identification number on shipping papers accompanying licensed material when it was shipped outside of this facility. We did include a UN identification number on all shipping papers, but had failed to note that the appropriate number for the materials we shipped had been changed on October 1, 2003. We now have inserted the correct number in our electronic files holding sample-shipping papers and in the information on shipping papers in our training materials; and we will use the correct number on shipping papers in the future. We will take steps to prevent similar errors by reviewing 10 CFR more frequently and by seeking additional information sources to alert us when NRC requirements are changed.

The second violation cited this office for failing to maintain proper locks on three portable nuclear gauges in our storage facility; such locks are necessary to prevent unauthorized or accidental removal of sealed radioisotope sources from their shielded positions. Since the inspection, we have purchased new locks and installed them on all three of the gauges cited. We intend to review the lock status of each device maintained under our license during future semi-annual source inventories.

We believe we now are in full compliance with our license requirements.

Sincerely yours,

Paul Teng
Director, Office of Infrastructure R&D

cc: Regional Administrator
U.S. NRC Region I
475 Allendale Road
King of Prussia, PA 19406-1415



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