



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

February 15, 2005

EA-04-103

Soil Consultants, Inc.
ATTN: Mr. Joseph W. Dixon, President
9303 Center Street
Manassas, VA 20110-5547

SUBJECT: HEARING REQUEST EXTENSION - SOIL CONSULTANTS INC.

Dear Mr. Dixon:

In a letter dated February 1, 2005, the U.S. Nuclear Regulatory Commission (NRC) served an Order Imposing Civil Monetary Penalty to Soil Consultants, Inc. (SCI) in the amount of \$9,600. As part of the Order, SCI was to either: (1) pay the civil penalty in accordance with Section IV of the Order, or (2) request a hearing in accordance with Section V of the Order. Section V of the Order also specified that the licensee may request a hearing within 30 days of the date of the Order. It further stated that where good cause is shown, such as requesting to engage in alternative dispute resolution (ADR), consideration would be given to extending the time to request a hearing.

This letter serves as written approval of an extension of time in which SCI may request a hearing for the matter involving the termination of an employee (dispatcher) for engaging in protective activities. On February 10, 2005, SCI entered into an agreement to engage in ADR with the NRC. In the event that ADR is not successful in resolving this matter or within 21 days after one of the parties withdraws from the agreement to mediate, SCI must either: (1) pay the civil penalty, or (2) request a hearing in accordance with the February 1, 2005, Order.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, 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's document system (ADAMS), accessible from the NRC Web site 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. The NRC also includes significant enforcement actions on its Web site at www.nrc.gov; select What We Do, Enforcement, then Significant Enforcement Actions.

J. Dixon

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Questions concerning this letter should be addressed to Mr. Russell Arrighi, Senior Enforcement Specialist, Office of Enforcement, at 301-415-3936 or via e-mail at rja1@nrc.gov.

Sincerely,

/RA/

Frank J. Congel, Director
Office of Enforcement

Docket No.: 030-33635
License No.: 45-15200-04

cc: State of Virginia Radiation Control Program Director

J. Dixon

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Questions concerning this letter should be addressed to Mr. Russell Arrighi, Senior Enforcement Specialist, Office of Enforcement, at 301-415-3936 or via e-mail at rja1@nrc.gov.

Sincerely,

/RA/

Frank J. Congel, Director
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