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December 1, 2005

United States Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, PA 19604-1415

NOV 17 2005 1:55



Attention: Mr. Sattar Lodhi, PhD  
*Health Physicist* and  
Mr. John D. Kinneman  
*Chief*

Re: **Reply to a Notice of Violation**  
November 17, 2005 Inspection  
Docket #03030105 2005001  
License #06-28068-01

27 Naek Road  
Vernon  
Connecticut  
06066  
860-875-7655  
Fax: 860-872-2416  
www.gza.com

Gentlemen,

As directed in the Notice of Violation referenced above, we do hereby submit this written statement of explanation.

1. The reason for the violation was that the exterior lock hasp on the gauge storage box was broken during transfer of the gauge to/from the transport vehicle. Subsequently throughout the period noted (November 14 to 17, 2005) during transport, the gauge box was secured shut with a steel chain in such a way that it could not be opened without forcible removal (cutting or breaking) of the chain and/or its lock. We acknowledge that, at the time of the inspection, the gauge box was not secured in accordance with the Regulations pertaining to jobsite storage.
2. To correct the condition, a new locking hasp was installed in the field by the RSO, on the day that notice was given by the Inspector (November 17, 2005).
3. To avoid further violations of this nature, the staff has been reminded not to utilize a gauge if it cannot be properly secured during transportation and jobsite storage and also to bring any deficiencies to the attention of the RSO immediately for repair/resolution.
4. Full compliance was achieved on the date of the inspection, November 17, 2005.

We trust this meets the requirements of the reply to the Notice of Violation. Please contact the undersigned if additional information is required.

Very Truly Yours,  
GZA GEOENVIRONMENTAL, INC.

Christopher J. Tonzi  
Radiation Safety Officer

Thomas F. Stark  
Principal / Office Manager

Attachment: A copy of the Notice of Violation

## NOTICE OF VIOLATION

GZA GeoEnvironmental, Incorporated  
Vernon, CT

Docket No. 03030105  
License No. 06-28068-01

During an NRC inspection conducted on November 17, 2005, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

- A. Condition 17 of the above license requires that each portable nuclear gauge have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport or storage, or when not under the direct surveillance of an authorized user.

Contrary to the above, on several occasions the licensee transported and stored a portable nuclear gauge and neither the gauge nor its container had a lock, and neither the gauge nor its container was locked during transport. Specifically, between November 14, and 17, 2005, the licensee transported a Troxler Model 3430 nuclear gauge to its temporary job site and neither the gauge nor its container was locked during transport or storage.

This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, GZA GeoEnvironmental, Incorporated is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction.

Notice of Violation  
GZA GeoEnvironmental, Incorporated

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However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated This 22 day of November 2005