



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

February 8, 2006

Docket No. 03017263

License No. 29-19282-01

William J. Boehler
General Manager/Radiation Safety Officer
Keegan Technology and Testing Associates, Inc.
210 Maple Place
Keyport, NJ 07735

SUBJECT: RESPONSE TO DISPUTED VIOLATION REGARDING FAILURE TO PERFORM A PERIODIC REVIEW OF THE RADIATION PROTECTION PROGRAM CONTENT AND IMPLEMENTATION PURSUANT TO 10CFR20.1101(c)

Dear Mr. Boehler:

Our letter dated December 23, 2005, transmitted a Notice of Violation (NOV) which listed six violations of NRC requirements. You responded to the NOV in a letter dated January 20, 2006, in which you acknowledged that Violation A, B, D.1., D.2, and D.3 were accurate, and you provided a response describing the reason for the violations, and your corrective actions taken to prevent future violations. We have reviewed your response to these violations and have no further questions concerning the corrective and preventative actions that you implemented. These actions will be examined during a future inspection of your licensed program.

However, in response to Violation C, regarding the failure to perform a periodic review of the radiation safety program content and implementation in accordance with 10CFR20.1101(c), you contend that this violation was issued in error.

In response to Violation C you state that a review of radiation safety protection content and implementation was performed quarterly. You also provide copies of the review records. Based on a review of your response and the records provided, it does not appear that your response adequately addresses the violation. The records submitted document that a quarterly inventory and safety inspection of the gauges had been performed. However, they did not indicate that your review included such topics as compliance with NRC and DOT regulations, terms and conditions of the license, and assurance that occupational doses and doses to members of the public are as low as reasonably achievable. Therefore, the NRC maintains that the violation occurred as stated in the NOV. Please provide a written response to this letter which describes your corrective actions for this violation. You may refer to Appendix F of NUREG 1556 Vol. 1, Rev. 1 for an example of an annual review that the NRC finds acceptable.

W. Boehler

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Please submit to this office within seven (7) days of receipt of this letter a written statement containing the requested information.

Your cooperation with us is appreciated.

Sincerely,

Original signed by George Pangburn

George Pangburn, Director
Division of Nuclear Materials Safety

cc:
State of New Jersey

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