

February 7, 2006

Ms. C. El-Awar, President
Foundation Engineering Science, Incorporated
11843 -B Canon Boulevard
Newport News, VA 23606

RI-2005-A-0071

Subject: NRC Office of Investigation Report 2-2005-023

Dear Ms. El-Awar:

The Region II Field Office of the NRC Office of Investigations (OI) initiated an investigation (Case No. 2-2005-023) on May 27, 2005, to determine if Foundation Engineering Science, Incorporated (FES) willfully provided the NRC with a forged radiation safety annual training document for a former employee, and willfully failed to provide locks for FES-owned Troxler nuclear gauges. OI found that established company policy allowed any technician in need of basic equipment (e.g., padlocks for securing gauges) to make the necessary purchases and be reimbursed for the expenses after submission of the receipt. OI also found that the FES employee manual for which annual training was provided reiterated this policy. The former employee's personnel file provided documentary evidence that he/she had utilized this process in the past and, therefore, was aware of the policy. Regarding the potentially forged training document, OI found this claim to be discredited by the former employee's own testimony.

Based on the evidence developed during this investigation, OI could not substantiate that FES management willfully provided the NRC with a forged radiation safety annual training document or that FES management willfully failed to provide locks for its nuclear gauges.

Please note that final NRC documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

Also, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

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Ms. C. El-Awar

2

RI-2005-A-0071

Should you have any questions regarding this letter, please feel free to contact Mr. John Kinneman of my staff at (610) 337-5252.

Sincerely,

/RA/

George Pangburn, Director
Division of Nuclear Materials Safety

Enclosure:
10 CFR 9.23, Requests for Records

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