

April 6, 2006

EA-05-238; EA-06-065; and EA-06-066
NMED No. 050718

Michael Lange, Chief Executive Officer
MISTRAS Holdings Group
D/B/A: Conam Inspection and Engineering Services, Inc.
Quality Services Laboratories, Inc.
899 Carol Court
Carol Stream, IL 60188

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL
PENALTIES - \$19,500 (NRC SPECIAL INSPECTION REPORTS
NO. 030-35114/05-003(DNMS) AND 030-35114/05-004(DNMS))

Dear Mr. Lange:

This refers to special inspections conducted by the U.S. Nuclear Regulatory Commission (NRC) from October 25 through December 8, 2005, at your facilities in Trainer, Pennsylvania, and Woodbridge, New Jersey. During these inspections, the NRC identified several apparent violations of NRC requirements including failures to: (a) control the occupational dose to a radiographer's extremity to an annual dose limit of 50 rem shallow-dose equivalent; (b) have two qualified individuals present during field radiographic operations on October 27, 2005, and have the radiographer present to directly observe the radiographer's assistant perform radiographic operations; (c) secure licensed material from unauthorized access or removal and immediately notify the NRC of missing licensed material on January 31, 2005; and (d) survey the perimeter of a temporary job site during radiographic operations. A copy of the NRC inspection report was provided to you on January 6, 2006.

On January 31, 2006, a predecisional enforcement conference (PEC) was conducted in the Region III office with you and members of your staff to discuss the apparent violations, their significance and root causes, and your corrective actions. During the PEC, you admitted Violations A, C, and D, and you denied Violation B.

Based on the information developed during the inspections, information provided during the PEC, and information provided in letters dated December 1, 2005, and February 6, 2006, the NRC has determined that violations of NRC requirements occurred. The violations are cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding them are described in detail in the subject inspection reports.

Violation A in the enclosed Notice concerns an overexposure to the right hand of a radiographer. In summary, a licensee radiographer and radiographer's assistant performed field radiography on October 27, 2005. At the conclusion of the eighth exposure, the radiographer's assistant retracted the iridium-192 source, NRC licensed material, and believed the source was returned to the safe position within the radiographic exposure device (camera).

However, neither the radiographer nor the radiographer's assistant checked the camera to ensure: (1) the sealed source assembly was secured in the shielded position in the camera; and (2) the exposure device was locked, in violation of 10 CFR 34.43(a), Condition No. 21 of the NRC Materials License issued to MISTRAS Holding Group, and your Operating and Emergency Procedures Manual (OEPM). Subsequently, the radiographer approached the camera and began to disassemble the guide tube. However, the radiographer did not conduct a radiation survey of the camera and guide tube as he approached the exposure device, in violation of 10 CFR 34.49(b) and your OEPM. While disassembling the guide tube, the radiographer noticed that the source was not retracted into the camera. Based upon a subsequent analysis of this event, your staff determined and the NRC confirmed that the radiographer received an exposure of approximately 99 rem to his right hand, 15 rem to the left hand, and a whole body dose of 248 millirem. The approximate 99 rem exposure to the radiographer's right hand exceeded the annual occupational dose limit of 50 rem shallow-dose equivalent to an individual's extremity as specified in 10 CFR 20.1201(a)(2). The violations are significant regulatory concerns and directly contributed to an overexposure of the radiographer's hand. Therefore, the violations are categorized collectively in accordance with the NRC Enforcement Policy as a Severity Level III problem (EA-05-238).

Violation B concerns the radiographer's failure to be present during radiographic operations at a field location in Philadelphia, Pennsylvania, on October 27, 2005. The radiographer left the immediate vicinity of the radiographic operations to take articles to a truck, leaving the radiographer's assistant alone to monitor the exposed source and the radiation area. The radiographer returned to the area of the radiographic operations prior to the conclusion of the ongoing radiographic exposure. Your OEPM and 10 CFR 34.46 require the radiographer to directly observe the radiographer's assistant perform radiographic operations and 10 CFR 34.41(a) provides that radiography may not be performed if only one qualified individual is present. At the PEC on January 31, 2006, you denied Violation B had occurred and in a subsequent letter on February 6, 2006, you provided additional information concerning your understanding of the requirements. From the information provided, the radiographer walked approximately 60 feet from the area of the radiographic operations to a company truck, leaving the radiographer's assistant alone for 1-3 minutes while a radiographic exposure was in progress. You indicated that while the radiographer was away from the radiographic operations, he could still hear the voice of the radiographer's assistant if the assistant required assistance from the radiographer. You also provided information that the radiographer had his back to the area of the radiographic operations and the radiographer's assistant during a portion of the radiographer's walk to the truck. During the period that the radiographer had his back to the area of the radiographic operation, the radiographer could not observe the radiation area. Therefore, the radiographer would not be capable of providing immediate assistance to prevent unauthorized entry into the radiation area. Also, the radiographer could not directly observe the radiographer's assistant while the assistant was alone during radiographic operations. These are significant regulatory concerns because at least two qualified individuals must be present during radiographic operations to observe the operations and must be available to render immediate assistance to prevent unauthorized entry into the radiation area. Furthermore, the radiographer must be present to observe the performance of the radiographer's assistant during radiographic operations. Therefore, the violations are categorized collectively in accordance with the NRC Enforcement Policy as a Severity Level III

problem (EA-06-065). Additionally, the NRC staff concluded that the information provided at the PEC and in the February 6, 2006, letter did not provide a sufficient basis for withdrawing the violations associated with Violation B.

Violation C pertains to a failure to secure from unauthorized access or removal, NRC-licensed material, and to immediately notify the NRC that NRC-licensed material was missing. At approximately 8:00 a.m. on January 31, 2005, your staff at your facility in Woodbridge, New Jersey, conducted an inventory of NRC-licensed materials and could not account for a radiography exposure device containing iridium-192. By approximately 12:00 noon on January 31, 2005, your staff still could not account for the radiography source and failed to immediately notify the NRC of the missing licensed material¹ as required by 10 CFR 20.2201(a)(1)(i). At approximately 3:00 p.m. on January 31, 2005, your staff found the missing device in the back of an unlocked company truck that was parked in an unsecured parking lot. Your staff indicated that the truck was searched for the exposure device earlier in the morning, however, your staff did not discover the device in the truck at that time. The failure to secure NRC-licensed material from unauthorized removal or access is a violation of 10 CFR 20.1801 and 10 CFR 20.1802. The failure to immediately notify the NRC of missing licensed material and the failure to secure the material from unauthorized access or removal are significant regulatory issues. Therefore, these violations are categorized collectively in accordance with the NRC Enforcement Policy as a Severity Level III problem (EA-06-066).

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$6,500 is considered for a Severity Level III violation or problem. Because your facility has been the subject of escalated enforcement actions within the last two years,² the NRC considered whether credit was warranted for the civil penalty adjustment factors of *Identification* and *Corrective Action* in accordance with the civil penalty assessment process in Section VI.C.2 of the Enforcement Policy. *Identification* credit was not warranted for Violation A since the violation was identified as the result of the overexposure event. *Identification* credit was not warranted for Violations B and C because the NRC identified the violations during the October 2005 inspections.

Credit was warranted for the *Corrective Action* factor associated with Violations A and B. Your corrective actions for these violations included: (1) suspending the radiographer from performing radiographic activities; (2) retraining the radiographer and radiographer's assistant on procedures for radiographic operations, including the need to have at least two qualified individuals present during operations and the need for radiographers to directly observe

¹ As defined in 10 CFR 20.1003, *lost or missing licensed material* means licensed material whose location is unknown. It includes material that has been shipped but has not reached its destination and the location of the material cannot be readily traced in the transportation system.

² A Severity Level III violation without civil penalty was issued on August 17, 2005, (EA-05-120) for the failure on May 17, 2005, to secure NRC-licensed material from unauthorized removal or access in violation of 10 CFR 20.1801 and 10 CFR 20.1802.

radiographer's assistants during operations; and (3) informing other radiographic personnel of the violations, the causes of the violations, and the associated corrective actions. Credit was warranted for the *Corrective Action* factor associated with Violation C based on your implementation of the following corrective actions: (1) increasing the frequency of physical inventories of NRC-licensed material to daily for three months; weekly for the next three months and monthly thereafter until desired results are achieved; and (2) improving physical security for the storage location.

Therefore, to emphasize the importance of compliance with dose limits, the presence of sufficient qualified personnel during field radiographic operations, the direct observation of radiographer's assistants during radiographic operations, the control of NRC-licensed material, and the prompt identification and reporting of violations, and in recognition of your previous escalated enforcement action, I have been authorized, after consultation with the Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties (Notice) in the base amount of \$6,500 for each Severity Level III problem, for a cumulative civil penalty of \$19,500. In addition, the issuance of this Notice constitutes escalated enforcement action, that may subject you to increased inspection effort.

The NRC inspectors also identified that on October 25, 2005, your staff failed to perform a radiation survey of the perimeter of a posted radiation area, while a radiography source was exposed at a temporary job site at your facility in Trainer, Pennsylvania, in violation of your OEPM (Violation D). Corrective actions for Violation D consisted of your: (1) instructing managers, supervisors, and radiographers of the need to conduct perimeter surveys at temporary job sites; and (2) proposing to amend your NRC license to designate the Trainer, Pennsylvania facility, as a permanent facility rather than a temporary job site. At the January 31, 2006, PEC, you and your staff did not dispute the facts or circumstances associated with Violation D. However, in a February 6, 2006, letter to the NRC, your staff contended that a single, historical evaluation of the radiation area perimeter at that facility was sufficient, as long as radiographic operations parameters at the facility do not change. The facility at Trainer, Pennsylvania, is not a permanent facility and is designated as a field station (temporary job site) in Condition No. 10.A of your NRC license. As a temporary job site, a radiation survey of the perimeter must be performed during the first exposure for each new set-up of a radiographic exposure device to ensure that the radiation levels at the restricted area boundaries would not exceed 2 millirem in any one hour. This requirement exists to protect the public, including your employees, from receiving an unnecessary exposure to radiation. The NRC concludes that the information provided in the February 6, 2006, letter did not provide a sufficient basis for withdrawing Violation D, and has categorized the violation in accordance with the Enforcement Policy at Severity Level IV.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

Please contact John R. Madera, Chief, Materials Inspection Branch at (630) 829-9834 with questions.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response 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>. The NRC also includes significant enforcement actions on its Web site at www.nrc.gov; select **What We Do, Enforcement**, then **Significant Enforcement Actions**.

Sincerely,

/RA by G. Grant Acting for/

James L. Caldwell
Regional Administrator

Docket No. 030-35114
License No. 12-16559-02

Enclosures:

1. Notice of Violation and Proposed Imposition of Civil Penalties
2. NUREG/BR-0254 Payment Methods (Licensee only)

FILE NAME: G:\EICS\MISTRAS-CONAM\05-238 06-065 06-066 EA Multiple Civil Penalties.wpd

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DATE	04/04/06		04/04/06		03/07/06		03/27/06		04/05/06		04/04/06	
OFFICE	RIII	N										
NAME	Caldwell											
DATE	04/06/06											

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* HQ concurrences provided on April 11, 2006, by e-mail from S. Merchant, OE.

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTIES - \$19,500 (NRC SPECIAL INSPECTION REPORTS NO. 030-35114/05-003(DNMS) AND 03035114/05-004(DNMS))

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NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTIES

MISTRAS Holdings Group	Docket No. 030-35114
D/B/A: Conam Inspection and Engineering Services, Inc.	License No. 12-16559-02
Quality Services Laboratories, Inc.	EA-05-238; EA-06-065; EA-06-066
Carol Stream, Illinois	

During NRC inspections conducted October 25 to December 8, 2005, violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the NRC proposes to impose civil penalties pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violations and associated civil penalties are set forth below:

A. Violations Associated with Extremity Overexposure

1. 10 CFR 20.1201(a)(2)(ii) requires, with exceptions not applicable here, that the licensee control the occupational dose to the skin or to any extremity of individual adults to an annual dose limit of 50 rem shallow-dose equivalent.

Contrary to the above, on October 27, 2005, the licensee did not limit the annual dose to the extremity of an adult radiographer to 50 rem shallow-dose equivalent. Specifically, the radiographer received approximately 99 rem shallow-dose equivalent to his right hand.

2. 10 CFR 34.49(b) requires, in part, that the licensee use a calibrated and operable radiation survey instrument to conduct a survey of the radiographic exposure device and guide tube after each exposure when approaching the device or the guide tube. The survey must determine that the sealed source has returned to its shielded position before exchanging films, repositioning the exposure head, or dismantling equipment.

Condition 21.C of NRC Materials License No. 12-16559-02 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures, including any enclosures contained in a letter dated August 10, 2004. Item 15.9 of the licensee's Operating and Emergency Procedures Manual, an enclosure to the August 10, 2004, letter provides, in part, that a survey of the area, camera, and source be conducted to verify the source is stored in the shielded position.

Contrary to the above, on October 27, 2005, a licensee radiographer did not perform a survey of the radiographic exposure device and guide tube after completing a radiographic exposure to determine that the sealed source had been returned to its shielded position and prior to dismantling the equipment.

3. 10 CFR 34.23(a) requires, in part, that during radiographic operations the sealed source assembly must be secured in the shielded position each time the source is returned to that position.

Condition 21.C of NRC Materials License No. 12-16559-02 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures, including any enclosures contained in a letter dated August 10, 2004. Item 15.9 of the licensee's Operating and Emergency Procedures Manual, an enclosure to the August 10, 2004, letter provides, in part, that the source be returned to the exposure device at the end of the exposure time, the selector ring on the exposure device is rotated to the lock position and the plunger lock is depressed.

Contrary to the above, on October 27, 2005, during a radiographic operation a radiography crew did not secure the sealed source in the shielded position after the source was returned to the shielded position. Specifically, the licensee's radiographer or radiographer's assistant did not return the source to the shielded position, did not rotate the selector ring of the exposure device to the lock position, and did not depress the plunger lock before disassembling the guide tube.

This is a Severity Level III problem (Supplements IV and VI).
Civil Penalty - \$6,500 (EA-05-238).

B. Violations Associated with Radiographic Operations at a Field Location

1. 10 CFR 34.41(a) requires that when radiography is performed at a location other than a permanent radiographic installation, the radiographer must be accompanied by at least one other qualified radiographer or an individual who has at a minimum met the requirements of 10 CFR 34.43(c). The additional qualified individual shall observe the operations and be capable of providing immediate assistance to prevent unauthorized entry. Radiography may not be performed if only one qualified individual is present.

Condition 21.C of NRC Materials License No. 12-16559-02 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures, including any enclosures contained in a letter dated August 10, 2004. Item 11.0 of the licensee's Operating and Emergency Procedures Manual, an enclosure to the August 10, 2004, letter provides, in part, that two individuals must be present whenever radiography is actively being performed at a temporary job area. A minimum of one radiographer accompanied by either another radiographer, or an assistant/trainee, shall be in attendance.

Contrary to the above, on October 27, 2005, radiography was actively being performed at a temporary job site in Philadelphia, Pennsylvania, a location other than a permanent radiographic installation, with only one qualified individual present. Specifically, the radiographer left the immediate area during a radiographic exposure rendering him unable to observe the radiographic operation and incapable of providing immediate assistance to prevent unauthorized entry.

2. 10 CFR 34.46, provides, in part, that a radiographer's assistant must be under the personal supervision of a radiographer whenever a radiographer's assistant uses radiographic exposure devices, associated equipment, or sealed sources. The personal supervision must include: (a) the radiographer's physical presence at the site where the sealed sources are used; (b) the availability of the radiographer to give immediate assistance, if required; and (c) the radiographer's direct observation of the assistant's performance of the operations.

Condition 21.C of NRC Materials License No. 12-16559-02 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures, including any enclosures contained in a letter dated August 10, 2004. Item 11.0 of the licensee's Operating and Emergency Procedures Manual, an enclosure to the August 10, 2004, letter provides, in part, that two individuals must be present whenever radiography is actively being performed at a temporary job area. If an assistant/trainee is part of the radiography crew, the radiographer is required to be present at the site where the sealed source is being used, to be available to give immediate assistance, and to directly observe the performance of operations by the assistant/trainee.

Contrary to the above, on October 27, 2005, radiography was performed at a temporary job site in Philadelphia, Pennsylvania, a location other than a permanent radiographic installation, without a radiographer being present and directly observing the performance of the radiographer's assistant during radiographic operations. Specifically, the radiographer left the immediate area during a radiographic exposure and the radiographer was unable to directly observe the radiographer's assistant perform radiographic operations.

This is a Severity Level III problem (Supplement VI).
Civil Penalty - \$6,500 (EA-06-065).

C. Violations Associated with Control of NRC-Licensed Material

1. 10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas.

10 CFR 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage. As defined in 10 CFR 20.1003, *controlled area* means an area, outside of a restricted area but inside the site boundary, access to which can be limited by the licensee for any reason; and *unrestricted area* means an area, access to which is neither limited nor controlled by the licensee.

Contrary to the above, on January 31, 2005, the licensee did not secure from unauthorized removal or limit access to iridium-192, licensed material, in a radiography camera located in a licensee vehicle, which was located in an uncontrolled area, nor did the licensee control and maintain constant surveillance of this licensed material. Specifically, the radiography camera was found in an unlocked company vehicle, parked in an unsecured parking lot in Woodbridge, New Jersey, and the camera was not otherwise secured within the vehicle.

2. 10 CFR 20.2201(a)(1)(i) requires the licensee to report immediately after its occurrence becomes known to the licensee, any lost, stolen or missing licensed material in an aggregate quantity greater than 1,000 times the quantity specified in 10 CFR Part 20, Appendix C, under such circumstances that it appears to the licensee that an exposure could result to persons in an unrestricted area. As defined in 10 CFR 20.1003, *lost or missing licensed material* means licensed material whose location is unknown. It includes material that has been shipped but has not reached its destination and the location of the material cannot be readily traced in the transportation system.

Contrary to the above, as of October 2005, the licensee failed to immediately report to the NRC missing licensed material, iridium-192 in a radiographic exposure device, that could result in an exposure to persons in an unrestricted area. Specifically, the licensee began an inventory of NRC licensed materials at the licensee's facility in Woodbridge, New Jersey, at approximately 8:00 a.m. on January 31, 2005, and could not account for a radiographic exposure device containing NRC-licensed material. By approximately 12:00 noon on January 31, 2005, the licensee could not account for a radiography source and the licensee failed to immediately report to the NRC that licensed material was missing.

This is a Severity Level III problem (Supplement IV).
Civil Penalty - \$6,500 (EA-06-066).

D. Violation Associated With A Radiation Survey

Condition 21.C of NRC Materials License No. 12-16559-02 requires, in part, that the licensee conduct its program in accordance with statements, representations, and

procedures, including any enclosures contained in a letter dated August 10, 2004. Item 11.6 of the licensee's Operating and Emergency Procedures Manual, an enclosure to the August 10, 2004, letter requires, in part, that a survey of the perimeter of the posted area be performed as soon as the source is exposed at a temporary job site to assure proper posting of the area.

Contrary to the above, on October 25, 2005, the licensee failed to survey the perimeter of the posted radiation area as soon as the source was exposed to assure proper posting of the radiation area at the licensee's Trainer, Pennsylvania facility, a temporary job site.

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

Pursuant to the provisions of 10 CFR 2.201, MISTRAS Holdings Group, D/B/A: Conam Inspection and Engineering Services, Inc./Quality Services Laboratories, Inc. (licensee) is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice of Violation and Proposed Imposition of Civil Penalties (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation: EA-05-238; EA-06-065; and EA-06-066" and should include for each alleged violation: (1) admission or denial of the alleged violation, (2) the reasons for the violation if admitted, and if denied, the reasons why, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps that will be taken to avoid further violations, and (5) 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. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, the licensee may pay the civil penalties proposed above or the cumulative amount of the civil penalties if more than one civil penalty is proposed, in accordance with NUREG/BR-0254 and by submitting to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, a statement indicating when and by what method payment was made, or may protest imposition of the civil penalties in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission. Should the licensee fail to answer within the time specified, an Order imposing the civil penalties will be issued. Should the licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation, EA-05-238; EA-06-065; and EA-06-066" and may: (1) deny the violations listed in this Notice, in whole or in part, (2) demonstrate

extenuating circumstances, (3) show error in this Notice, or (4) show other reasons why the penalties should not be imposed. In addition to protesting the civil penalties, in whole or in part, such answer may request remission or mitigation of the penalties.

In requesting mitigation of the proposed penalties, the factors addressed in Section VI.C.2 of the Enforcement Policy should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the licensee is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalties due which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234(c) of the Act, 42 U.S.C. 2282c.

The response noted above (Reply to Notice of Violation, statement as to payment of civil penalties, and Answer to a Notice of Violation) should be addressed to: Michael R. Johnson, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator and the Enforcement Officer, U.S. Nuclear Regulatory Commission, Region III.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. The NRC's document system, ADAMS, is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

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

Dated this 6th day of April 2006