



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

July 19, 2006

Docket No. 03033171
EA No. 06-168

License No. 29-28286-02

Chetlin Okcuoglu, P.E.
President
Geotech Environmental, Incorporated
P.O. Box 266
2990 North Route 73
Maple Shade, NJ 08052

SUBJECT: INSPECTION 03033171/2006001, GEOTECH ENVIRONMENTAL, INCORPORATED, MAPLE SHADE, NEW JERSEY, AND THE THOMAS JEFFERSON HOSPITAL, PHILADELPHIA, PENNSYLVANIA, NOTICE OF VIOLATION, AND EXERCISE OF ENFORCEMENT DISCRETION

Dear Mr. Okcuoglu:

On May 25, 2006, Judith A. Joustra of this office conducted a safety inspection at the above address and the Thomas Jefferson Hospital, Philadelphia, Pennsylvania of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selected examination of representative records. The findings of the inspection were discussed with you and Murat Arkan of your organization at the conclusion of the inspection and again between Mr. Arkan and myself on July 19, 2006.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed that categorizes each violation by severity level. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

A violation of 10 CFR 30.34(i) was identified during this inspection and is described in the attached Notice of Violation. Although such violations are normally categorized at Severity Level III and considered for escalated enforcement action, because (1) one physical control existed to prevent loss or theft of the portable gauge, (2) you retained possession of the gauge, (3) you took appropriate action to correct the violation and prevent recurrence of similar violations in the future, (4) the violation was not willful, and, (5) you have not previously been cited for a violation of 10 CFR 30.34(i), we are exercising enforcement discretion to categorize

C. Okcuoglu
Geotech Environmental, Incorporated

2

this violation at Severity Level IV. However, future violations of 10 CFR 30.34(i) will be categorized at Severity Level III and considered for escalated enforcement action.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Toolkit Index Page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Your cooperation with us is appreciated.

Sincerely,

Original signed by John D. Kinneman

John D. Kinneman, Chief
Security and Industrial Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
H. Murat Arkan, Radiation Safety Officer
State of New Jersey
Commonwealth of Pennsylvania

C. Okcuoglou
Geotech Environmental, Incorporated

3

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DATE	06/01/2006		07/17/2006		07/17/2006		

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NOTICE OF VIOLATION

Geotech Environmental, Incorporated
Maple Shade, NJ

Docket No. 03033171
License No. 29-28286-02
EA No. 06-168

During an NRC inspection conducted on May 25, 2006, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 30.34(i) requires that the licensee use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

Contrary to the above, as of May 25, 2006, the licensee did not use two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal. Specifically, the licensee transported portable gauges in the back of an open bed pickup truck in transportation cases secured with a padlock. The transportation cases were secured to the bed of the truck with a single chain which was padlocked to the handle of the transportation case. This provided only one physical barrier to secure the gauges from unauthorized removal. There were times when the individual transporting the portable gauge in the open bed pickup truck left the truck containing the gauge, and, therefore, did not maintain control and constant surveillance of the gauge.

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

- B. Condition 21 of License No. 29-28286-02 requires, in part, that the licensee conduct its program in accordance with the statements, representation, and procedures contained in the application dated September 23, 2003. Item 10 of the application requires that the licensee will either possess and use, or have access to and use, a radiation survey meter that meets the criteria in the section entitled "Radiation Safety Program - Instruments" in NUREG -1556, Vol. 1, Rev.1, dated November 2001.

Contrary to the above, as of May 25, 2006, the licensee did not possess or have access to a radiation survey meter that meets the criteria in NUREG -1556, Vol. 1, Rev.1, dated November 2001.

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

Pursuant to the provisions of 10 CFR 2.201, Geotech Environmental, 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 - EA No. 06-168" 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. 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 19th day of July 2006