

Geotechnical Consulting & Testing, Inc.

Geotechnical Environmental Construction Services

Reply to a Notice of Violation - EA No. 06-172

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U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

August 04, 2006

Re: Inspection 03032078/2006002
Geotechnical Consulting & Testing, Inc.
Dulles, Virginia Site
Notice of Violation
License No. 45-25135-01

Dear Mr. Kinneman,

We are in receipt of your notice of violation letter dated July 18, 2006. Based on our review of the violation noted in the letter, we provide the following corrective actions to the listed violations.

During an NRC inspection conducted on June 06 and July 05, 2006, three violations on 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 license use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from authorized removal.

Contrary to the above, on June 06, 2006, the key was left in the lock that secured one of the barriers to the portable gauge storage area at the licensee's Dulles, VA office. The licensee immediately removed the key and stated that this practice would be discontinued.

This is a Severity Level IV violation (Section VI.C).

Response:

The key was discretely tied to the frame of the storage room with only authorized users permitted to use for access. However, since the inspection, all employees were informed that the key should never be left tied to the frame of the storage room. The gate will remain locked at all times and only authorized individuals are issued keys for access to the storage area. Users will turn the keys in when they leave the employment of GC&T. Additionally, in order to provide a secure double barrier, a 1.5 inch steel pipe was anchored into the concrete floor and all gauges are chain locked with the pipe when the gauges are in storage.



- B. 10 CFR 71.5 requires that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transportation of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.

49 CFR 172.702 requires that each Hazmat employer shall ensure that each Hazmat employee is trained and tested, and that no Hazmat employee performs any function subject to the requirements of 49 CFR Parts 171-177 unless trained, in accordance with Subpart H of 49 CFR Part 172. The terms Hazmat employer and Hazmat employee are defined in 49 CFR 171.8.

49 CFR 172.704(c)(2) states that a Hazmat employee shall receive the training required by this subpart at least once every three years.

Contrary to the above, as of June 06, 2006, the licensee, a Hazmat employer, did not ensure that all of its Hazmat employees, who performed functions subject to the requirements of 49 CFR Parts 171-177, were trained and tested per 49 CFR 172.702.

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

Response:

Some of our authorized technicians have not attended a re-training class at least once within the previous three years in accordance with the requirements of 49 CFR Parts 171-177. This fact was overlooked during periodic check for compliance. Since the inspection, all training records have been updated and all technicians training are current. Copies of the employees training records were previously emailed to Miss Orysia Bailey.

- C. Condition No. 20 of License No. 45-25135-01 requires the licensee to conduct its program in accordance with the statements, representations and procedures contained in its application dated February 27, 2001.

This application commits to following the procedures contained in Appendix H, "Operating Procedures", of NUREG-1556, Volume 1, "Consolidated Guidance about Materials, Licenses, Program-Specific Guidance about Portable Gauge Licenses."

Appendix H, requires, in part, that authorized users sign out the gauge in a log book (that remains at the storage location) including the data(s) of use, name(s) of the authorized users who will be responsible for the gauge, and the temporary job site(s) where the gauge will be used.



Contrary to the above, on June 06, 2006, three gauges were not in the gauge storage area and that they had not been signed out. The licensee was able to verify that they were with authorized users at temporary job sites.

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

Response:

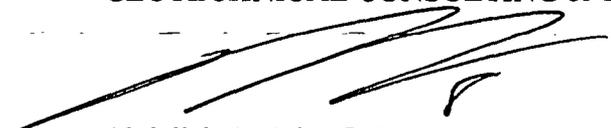
Since the inspection, a staff meeting was held with all employees authorized to use the density gauges in order to emphasize the requirements of Appendix H, Operating Procedures", of NUREG-1556, Volume 1, "Consolidated Guidance About Materials, Licenses, Program-Specific Guidance About Portable Gauge Licenses." requires, in part, that authorized users sign out the gauge in a log book (that remains at the storage location) including the data(s) of use, name(s). All authorized employees understand the mandatory nature of signing in and out each time they use the gauge.

As of this date all corrective actions have been implemented and we believe that a full compliance has been achieved.

We trust that you will find this response satisfactory. If you have any question regarding this response, please call me at 703 421-4000.

Respectfully Submitted,

GEOTECHNICAL CONSULTING & TESTING, INC.



Abdallah A. Adas, P.E.
Vice President

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