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March 1, 2007

REPLY TO A NOTICE OF VIOLATION

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20585

Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, Pennsylvania 19406

Attn: Mrs. Marie Miller, Chief  
Security and Industrial Branch  
Division of Nuclear Materials Safety

Re: Response to Inspection Report  
Inspection 03036463/2006001  
Dominion Geotechnical Services

Dear Mrs. Miller:

Dominion Geotechnical Services, Inc. (Dominion) has received the referenced report dated February 6, 2007 from your office. Within the inspection report, Dominion recognized the following violations:

- A. Dominion failed to perform the required periodic review of the radiation protection program. Specifically, the last review of the radiation protection program was conducted in 2004, a time interval greater than annually.

**Response:** In accordance with the intent of 10CFR 20.1101(c), Dominion has conducted two (2) reviews of the radiation safety program subsequent to the safety inspection performed by Mr. Richard H. Ladun of the NRC Region I office. More specifically Dominion Geotechnical Services, Inc. has reviewed our radiation safety program on December 1, 2006 and on March 5, 2007. The reviews were performed by Mr. William D. Itoni, P.E., R.S.O. of Dominion Geotechnical Services.

Dominion Geotechnical Services intends to perform future reviews of the safety program on a basis more frequent than once a year.

JLE07

***Response to Inspection Report  
Inspection 03036463/2006001  
Dominion Geotechnical Services***

- B. A Nuclear Gauge has been stored at 204 East Main Street in Remington, Virginia, contrary to the License Condition 10 of License No. 45-30860-01 that states, in part, that the radioactive material may be used or stored at 5110 Southpoint Parkway, Fredericksburg, Virginia and temporary jobsites.

**Response:** The storage location listed as 204 East Main Street in Remington, Virginia was considered a temporary site to store a single gauge. Contrary to the report, two (2) gauges were not stored at the site at any one time. Dominion Geotechnical Services, Inc. will not use the Remington site in the future.

To avoid future violations, and in the event that more than one gauge needs to be stored at the Remington site on a more permanent basis, the Remington site has applied for a separate license to the NRC Region I office in King of Prussia, Pennsylvania. Based on past experience with license applications, the Remington site should have a separate license within eight (8) weeks. (A copy of the license submittal is attached to this response).

Should you have any questions, or require additional information, please contact me.

Very Truly Yours,

**Dominion Geotechnical Services, Inc.**

A handwritten signature in black ink, appearing to read 'William D. Idoni', with a stylized flourish at the end.

William D. Idoni, P.E.  
Principal Engineer

<p><b>NRC FORM 313</b> (8-1999) 10 CFR 30, 32, 33 34, 35, 36, 39 and 40</p>	<p><b>U. S. NUCLEAR REGULATORY COMMISSION</b></p>	<p>APPROVED BY OMB. NO. 3150-0120 EXPIRES:08/31/2002</p> <p>Estimated burden per response to comply with this mandatory information collection request 7.4 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records Management Branch (T-8 E6), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to bsr1@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.</p>
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**APPLICATION FOR MATERIAL LICENSE**

**INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.**

**APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:**  
DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY  
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001

**ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:**  
**IF YOU ARE LOCATED IN:**  
CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:  
  
LICENSING ASSISTANT SECTION  
NUCLEAR MATERIALS SAFETY BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:  
  
SAM MUMF ATLANTA FEDERAL CENTER  
U.S. NUCLEAR REGULATORY COMMISSION, REGION II  
61 FORSYTH STREET, S.W., SUITE 23755  
ATLANTA, GEORGIA 30303-8931

**IF YOU ARE LOCATED IN:**  
ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:  
  
MATERIALS LICENSING SECTION  
U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
801 WARRENVILLE RD.  
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:  
  
NUCLEAR MATERIALS LICENSING SECTION  
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
811 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TX 76011-8064

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS

<p>1 THIS IS AN APPLICATION FOR (Check appropriate item)</p> <p><input checked="" type="checkbox"/> A NEW LICENSE  <input type="checkbox"/> B AMENDMENT TO LICENSE NUMBER _____  <input type="checkbox"/> C RENEWAL OF LICENSE NUMBER _____</p>	<p>2 NAME AND MAILING ADDRESS OF APPLICANT (Include Zip code)</p> <p><b>DOMINION INSPECTION CO., INC.</b>  <b>204 EAST MAIN STREET, UNIT A</b>  <b>REMINGTON, VIRGINIA 22734</b></p>
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<p>3 ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED</p> <p><b>DOMINION INSPECTION Co., Inc.</b>  <b>204 EAST MAIN STREET, UNIT A</b>  <b>REMINGTON, VIRGINIA 22734</b></p>	<p>4 NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION</p> <p><b>WILLIAM D. IDONE, PE</b>          TELEPHONE NUMBER  <b>540-439-7310</b></p>
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SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE

<p>5 RADIOACTIVE MATERIAL a. Element and mass number, b. chemical and/or physical form, and c. maximum amount which will be possessed at any one time</p>	<p>6 PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED</p>		
<p>7 INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE</p>	<p>8 TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS</p>		
<p>9 FACILITIES AND EQUIPMENT</p>	<p>10 RADIATION SAFETY PROGRAM</p>		
<p>11 WASTE MANAGEMENT</p>	<p>12 LICENSEE FEES (See 10 CFR 170 and Section 170.31)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:70%;">FEE CATEGORY</td> <td style="width:30%;">AMOUNT ENCLOSED \$ <b>1200.00</b></td> </tr> </table>	FEE CATEGORY	AMOUNT ENCLOSED \$ <b>1200.00</b>
FEE CATEGORY	AMOUNT ENCLOSED \$ <b>1200.00</b>		

13 CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.  
 THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39 AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.  
 WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE <b>WILLIAM D. IDONE, PRINCIPAL</b>	SIGNATURE 	DATE <b>3-6-07</b>
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**FOR NRC USE ONLY**

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED \$	CHECK NUMBER	COMMENTS
APPROVED BY				DATE	

**ITEMS 5 AND 6: MATERIALS TO BE POSSESSED AND PROPOSED USES**

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
✓		Cesium-137	Sealed source manufacturer or distributor and model number: <u>TROXLER</u> Device manufacturer or distributor and model number: <u>TROXLER</u> <u># 3411, #3440,</u> <u>#4640, #3450,</u> <u>#3460</u>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input checked="" type="checkbox"/> Specific description of the gauge use: <u>TO TEST</u> <u>SOILS</u> <u>ON</u> <u>CONSTRUCTION SITES.</u>	<input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: (Submit safety analysis supporting safe use)
✓		Americium-241	Sealed source manufacturer or distributor and model number: <u>TROXLER</u> Device manufacturer or distributor and model number: <u>TROXLER</u> <u># 3411, #3440,</u> <u>#4640, #3450,</u> <u>#3460</u>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input checked="" type="checkbox"/> Specific description of the gauge use: <u>TO TEST</u> <u>SOILS</u> <u>ON</u> <u>CONSTRUCTION SITES</u>	<input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: (Submit safety analysis supporting safe use)

Gauges to Be Purchased:

- # 3440 (2)
- # 3411 (2)
- # 3450 (1)
- # 3430 (1)
- # 4640 (1)

APPENDIX B

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
	✓	Californium-252	Sealed source manufacturer or distributor and model number: <u>          N/A          </u> Device manufacturer or distributor and model number: <u>          N/A          </u>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: _____ _____ _____ _____ _____	<input type="checkbox"/> Not applicable _____ <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)
	✓	Other Isotope (Specify):	Sealed source manufacturer or distributor and model number: <u>          N/A          </u> Device manufacturer or distributor and model number: <u>          N/A          </u>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: _____ _____	<input type="checkbox"/> Not applicable _____ <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)
<i>Financial Assurance Required and Evidence of Financial Assurance Provided</i>						

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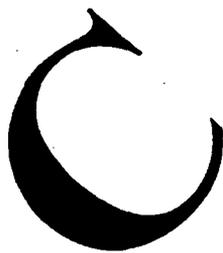
**ITEMS 7 THROUGH 11: TRAINING AND EXPERIENCE, FACILITIES AND EQUIPMENT, RADIATION SAFETY PROGRAM, AND WASTE DISPOSAL**

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
<p>7. <b>INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE – RADIATION SAFETY OFFICER</b></p> <p>WILLIAM D. Name: <u>JDONJ, P.E.</u></p>	<p>Before obtaining licensed materials, the proposed RSO will have successfully completed one of the training courses described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience – Radiation Safety Officer" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>8. <b>TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS</b></p>	<p>Before using licensed materials, authorized users will have successfully completed one of the training courses described in Criteria in the section entitled "Training for Individuals Working In or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, Rev 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>9. <b>FACILITIES AND EQUIPMENT</b></p>	<p>No information needs to be submitted in response to this section; key issues are addressed under "Radiation Safety Program – Public Access" and "Radiation Safety Program – Contingency and Emergency Procedures."</p>	<p>Separate Item 9 Response Need Not Be Submitted With Application</p>	
<p>10. <b>RADIATION SAFETY PROGRAM – AUDIT PROGRAM</b></p>	<p>The applicant is <i>not</i> required to, and should not, submit its audit program to NRC for review during the licensing phase.</p>	<p>Need Not Be Submitted With Application</p>	
<p>10. <b>RADIATION SAFETY PROGRAM – TERMINATION OF ACTIVITIES</b></p>	<p>The applicant is <i>not</i> required to submit a response to the termination of activities section during the initial application. However, when the license expires when the licensee ceases operation, NRC Form 314 must be submitted.</p>	<p>Need Not Be Submitted With Application</p>	
<p>10. <b>RADIATION SAFETY PROGRAM – SURVEY INSTRUMENTS</b></p>	<p>We 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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

APPENDIX B

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
10. RADIATION SAFETY PROGRAM – MATERIAL RECEIPT AND ACCOUNTABILITY	Physical inventories will be conducted at intervals not to exceed 6 months, to account for all sealed sources and devices received and possessed under the license.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – OCCUPATIONAL DOSIMETRY	Either we will maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20, or we will provide dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – PUBLIC DOSE	The applicant is <i>not</i> required to submit a response to the public dose section during the licensing phase. This material will be examined during an inspection.		Need Not Be Submitted With Application
10. RADIATION SAFETY PROGRAM – OPERATING AND EMERGENCY PROCEDURES	We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to gauge users and at each job site.  OR Operating and emergency procedures will be developed, implemented, and maintained and will meet the criteria in the section entitled "Radiation Safety Program – Operating and Emergency Procedures" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – LEAK TESTS	Leak tests will be performed at intervals approved by NRC or an Agreement State and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services for other licensees or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier's instructions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>  The information in Appendix J supporting a request to perform leak testing and sample analysis is attached.

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
<p><b>10. RADIATION SAFETY PROGRAM – MAINTENANCE</b></p>	<p><i>Routine Cleaning and Lubrication</i></p> <p>We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.</p> <p><i>Non-Routine Maintenance</i></p> <p>We will send the gauge to the manufacturer or other person authorized by NRC or an Agreement State to perform non-routine maintenance or repair operations that require the removal of the source or source rod from the gauge.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p>The information listed in Appendix G supporting a request to perform non-routine maintenance in-house is attached.</p>
<p><b>10. RADIATION SAFETY PROGRAM – TRANSPORTATION</b></p>	<p>The applicant is <i>not</i> required to submit its response to transportation during the licensing process. However, this issue will be reviewed during the process.</p>		<p>Need Not Be Submitted With Application</p>
<p><b>11. WASTE MANAGEMENT – GAUGE DISPOSAL AND TRANSFER</b></p>	<p>The applicant is <i>not</i> required to submit a response to waste management during the licensing process. However, the licensee shall develop, implement, and maintain gauge disposal and disposal procedures in its radiation protection program.</p>		<p>Need Not Be Submitted With Application</p>



Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
<p><b>10. RADIATION SAFETY PROGRAM – MAINTENANCE</b></p>	<p><i>Routine Cleaning and Lubrication</i></p> <p>We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.</p> <p><i>Non-Routine Maintenance</i></p> <p>We will send the gauge to the manufacturer or other person authorized by NRC or an Agreement State to perform non-routine maintenance or repair operations that require the removal of the source or source rod from the gauge.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p>The information in Appendix G supporting a request to perform non-routine maintenance in-house is attached.</p>
<p><b>10. RADIATION SAFETY PROGRAM – TRANSPORTATION</b></p>	<p>The applicant is <i>not</i> required to submit a response to transportation during the licensing process. However, this issue will be reviewed during inspection.</p>		<p><b>Need Not Be Submitted With Application</b></p>
<p><b>11. WASTE MANAGEMENT – GAUGE DISPOSAL AND TRANSFER</b></p>	<p>The applicant is required to submit a response to waste management during the licensing process. However, the licensee should develop, implement, and maintain gauge transfer and disposal procedures in its radiation protection program.</p>		<p><b>Need Not Be Submitted With Application</b></p>

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

February 6, 2007

Docket No. 03036463

License No. 45-30860-01

William D. Idoni, P.E.  
Radiation Safety Officer  
Dominion Geotechnical Services, Inc.  
5110 Southpoint Parkway  
Fredericksburg, VA 22408

SUBJECT: INSPECTION 03036463/2006001, DOMINION GEOTECHNICAL SERVICES,  
FREDERICKSBURG, VIRGINIA SITE AND THE REMINGTON AND  
FREDERICKSBURG FIELD SITES, AND NOTICE OF VIOLATION

Dear Mr. Idoni:

On November 6 and 7, 2006, Richard H. Ladun of this office conducted a safety inspection at the above address and 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 Jason T. Brook of your organization at the conclusion of the inspection and with you on January 10, 2007 by telephone.

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.

Current NRC regulations are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. The current Enforcement Policy is included on the NRC's website at [www.nrc.gov](http://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 8:00 p.m. EST, Monday through Friday (except Federal holidays).

W. Idoni  
Dominion Geotechnical Services

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Your cooperation with us is appreciated.

Sincerely,



Marie Miller, Chief  
Security and Industrial Branch  
Division of Nuclear Materials Safety

Enclosure:  
Notice of Violation

cc:  
Commonwealth of Virginia

## NOTICE OF VIOLATION

Dominion Geotechnical Services, Inc.  
Fredericksburg, VA

Docket No. 03036463  
License No. 45-30860-01

During an NRC inspection conducted on November 6 and 7, 2006, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 20.1101(c) requires that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, as of November 7, 2006 the licensee failed to perform the required periodic review of the radiation protection program. Specifically, the last review of the radiation protection program was conducted in 2004, a time interval greater than annually.

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

- B. 10 CFR 30.34(c) requires in part that the licensee confine possession and use of radioactive material to the locations authorized in the license.

License Condition 10 of License No. 45-30860-01 states, in part, that radioactive material may be used or stored at 5110 South Parkway, Fredericksburg, Virginia and temporary job sites.

Contrary to the above, as of January 10, 2006 the licensee did not confine possession and use of radioactive material to the location authorized in the license. Specifically, the licensee had been using an office located at 204 East Main Street, Remington, Virginia, to store and to dispatch (two) portable gauging devices to temporary job sites. This location is not authorized in the license.

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

Pursuant to the provisions of 10 CFR 2.201, Dominion Geotechnical Services 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" 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.

Notice of Violation  
Dominion Geotechnical Services

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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 6<sup>th</sup> day of February 2007