



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

45-30860-01

RECEIVED  
REGION I  
2007 MAR -9 AM 10:48

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. Idoni, 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.

NMSS/RGNI MATERIALS-004

***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.

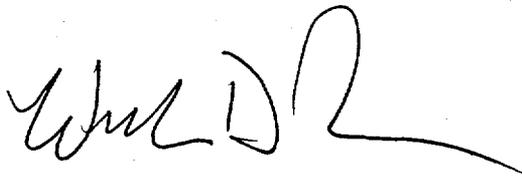
**Response:** The storage location listed as 204 East Main Street in Remington, Virginia was considered a temporary site to store a single gauge. Contrary to the report, two (2) gauges were not stored at the site at any one time. Dominion Geotechnical Services, Inc. will not use the Remington site in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

William D. Idoni, P.E.  
Principal Engineer

<p><b>NRC FORM 313</b>      <b>U. S. NUCLEAR REGULATORY COMMISSION</b></p> <p>(8-1999) 10 CFR 30, 32, 33 34, 35, 36, 39 and 40</p> <p style="text-align: center;"><b>APPLICATION FOR MATERIAL LICENSE</b></p>	<p>APPROVED BY OMB: NO. 3150-0120</p> <p>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-6 ES), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to <a href="mailto:bjr1@nrc.gov">bjr1@nrc.gov</a> and to the Desk Officer, Office of Information and Regulatory Affairs, NE08-10202, (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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**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.**

<p><b>APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:</b></p> <p>DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS U. S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001</p> <p><b>ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:</b></p> <p><b>IF YOU ARE LOCATED IN:</b></p> <p>CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:</p> <p>LICENSING ASSISTANT SECTION NUCLEAR MATERIALS SAFETY BRANCH U. S. NUCLEAR REGULATORY COMMISSION REGION I 475 ALLENDALE ROAD KING OF PRUSSIA, PA 19406-1415</p> <p>ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:</p> <p>SAM NUNN ATLANTA FEDERAL CENTER U. S. NUCLEAR REGULATORY COMMISSION, REGION II 81 FORSYTH STREET, S.W., SUITE 23785 ATLANTA, GEORGIA 30303-8931</p> <p>PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U. S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U. S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS</p>	<p><b>IF YOU ARE LOCATED IN:</b></p> <p>ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:</p> <p>MATERIALS LICENSING SECTION U. S. NUCLEAR REGULATORY COMMISSION, REGION III 801 WARRENVILLE RD. LISLE, IL 60532-4351</p> <p>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:</p> <p>NUCLEAR MATERIALS LICENSING SECTION U. S. NUCLEAR REGULATORY COMMISSION, REGION IV 811 RYAN PLAZA DRIVE, SUITE 400 ARLINGTON, TX 76011-8064</p>
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<p>1 THIS IS AN APPLICATION FOR (Check appropriate item)</p> <p><input checked="" type="checkbox"/> A NEW LICENSE</p> <p><input type="checkbox"/> B AMENDMENT TO LICENSE NUMBER _____</p> <p><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></p> <p>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</p> <p>a. Element and mass number, 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> <p>FEE CATEGORY _____ AMOUNT ENCLOSED: <b>\$1200.00</b></p>
<p>13 CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.</p> <p>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.</p> <p>WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 82 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.</p>	

<p>CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE</p> <p><b>WILLIAM D. IDONE, PRINCIPAL</b></p>	<p>SIGNATURE</p> <p><i>William D. Idone</i></p>	<p>DATE</p> <p><b>3-6-07</b></p>
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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> # 3411, #3440, #4640, #3450, #3460	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 SOILS ON 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> # 3411, #3440, #4640, #3450, #3460	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 SOILS ON 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. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE – RADIATION SAFETY OFFICER</p> <p>WILLIAM D. Name: <u>IDONE, 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>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS</p>	<p>Before using licensed materials, authorized users will have successfully completed one of the training course 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>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>9. FACILITIES AND EQUIPMENT</p>	<p>No information needs to be submitted in response to this item; key issues are addressed under "Radiation Safety Program – Public Dose" and "Radiation Safety Program – Monitoring and Emergency Procedures."</p>		<p>Separate Item 9 Response Need Not Be Submitted With Application</p>
<p>10. RADIATION SAFETY PROGRAM – AUDIT PROGRAM</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. RADIATION SAFETY PROGRAM – TERMINATION OF ACTIVITIES</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. RADIATION SAFETY PROGRAM – SURVEY INSTRUMENTS</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>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>

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 information 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 operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all 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 TEST	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 licensing process.</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 <i>not</i> 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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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 its response to transportation during the licensing process. However, this issue will be reviewed during inspection.</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 should develop, implement, and maintain gauge transfer and disposal procedures in its radiation protection program.</p>		<p>Need Not Be Submitted With Application</p>

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