



BILL RICHARDSON
Governor

State of New Mexico
ENVIRONMENT DEPARTMENT
Environmental Health Division
Radiation Control Bureau
Harold Runnels Building
1190 St. Francis Drive 87505
Post Office Box 26110
Santa Fe, New Mexico 87502-6110
Telephone (505) 476-3060
Fax (505) 476-3232
www.nmenv.state.nm.us



RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

ANA MARIE ORTIZ
Director

Date: October 22, 2007

To: Donna Janda

Company: NRC, Region I

Fax: 1-610-337-5269

From: Daniela Bowman

Subject: FYI

Fax: 505-476-3232

Phone: 505-476-3061

Comments:

Total pages including this cover page: 4

If you have any problems with this transmittal, please call DANIELA BOWMAN at 505-476-3061

License No. 37-17717-02
030-16053



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October 19, 2007

Gene R. Pietrowski, RSO
Kimball Robert Kimball & Associates
615 West Highland Avenue
Ebensburg, PA 15931

Dear Mr. Pietrowski:

Thank you for your letter of October 10, 2007, in which you responded to the deficiencies found during an inspection conducted on August 22, 2007 by me, and cited in our letter of September 21, 2007. Your corrective actions, as stated in your letter, appear to be adequate to correct the cited deficiencies.

Confirmation of your corrective actions will be conducted during a follow up or next routine inspection. Thank your staff for the courtesy extended to me during the inspection.

If you have any questions regarding this letter, please call me at (505) 476-3061.

Sincerely,

Daniela Bowman

Daniela Bowman
Radiation Protection Program

cc: Licensee file

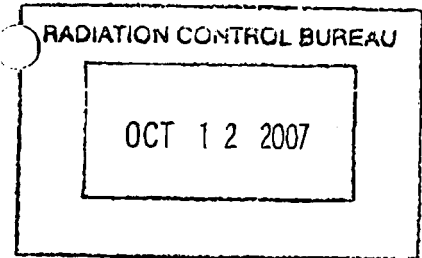


L. Robert Kimball & Associates
Architects and Engineers

Corporate Headquarters

615 West Highland Avenue, P.O. Box 1000, Ebensburg, PA 15931 Phone: 814-472-7700 Fax: 814-472-7712

www.lrkimball.com



October 10, 2007

Mr. Walter Medina
State of New Mexico
Environment Department
Environmental Health Division
Radiation Control Bureau
PO Box 26110
Santa Fe, NM 87502-6110

Re: Response to letter received September 24, 2007, dealing with the State
of New Mexico Reciprocal Recognition of License for U.S. NRC Radioactive
Materials License No.37-17717-02
Inspection on August 22, 2007

Dear Mr. Medina:

This letter serves as our written response to the letter of violation dated September 21, 2007. This letter was received on September 24, 2007. There were three apparent violations indicated:

- (1) Contrary to reciprocal recognition condition 1, the licensee did not possess a copy of their New Mexico reciprocity letter.
- (2) Contrary to reciprocal recognition condition 2, the licensee did not possess a copy of the pertinent New Mexico Radiation Protection Regulations.
- (3) Contrary to the reciprocal condition 6, the licensee did not have a current leak test of their density gauges. The last leak test date for both gauges on site was January 26, 2007. According to the manufacturer, these model gauges must be leak tested every 6 months.

In response to items (1) and (2) above, L. Robert Kimball & Associates, Inc. (Kimball) made application to the state of New Mexico through Ed Vigil and Santiago Rodriguez in a facsimile dated August 17, 2007. This application for reciprocal use of nuclear gauges in the State of New Mexico was received and accepted verbally. Due to technical difficulties with either Kimball's or the State of New Mexico's facsimile machines, written authorization was not received until August 22, 2007 by facsimile. We have enclosed both the facsimile we received on August 22, 2007, and the original letter sent by mail which was received on August 27, 2007. Our

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Mr. Walter Medina
October 10, 2007
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technician, O.T. McConnell, III did inform Ms. Daniela Bowman that Kimball had received reciprocal recognition verbally, but had not received physical hard copy of the letter. Gene Pietrowski was assured that the letter would be faxed to him for his crew to use in New Mexico, but due to technical difficulties, the letter arrived by facsimile after Ms. Daniela Bowman's inspection.

In response to item (3), Kimball performs their leak tests every six months as per NRC regulations. Leak tests for the gauges on site were completed July 5, 2007. Current leak tests for the gauges were inadvertently left at our office in Ebensburg, PA. We have enclosed actual leak test results for your records.

We trust that this letter will be deemed an appropriate response to the letter of violation we received. Please call 814-472-7700 if you have any questions.

Sincerely,



Gene R. Pietrowski
Radiation Safety Officer
Civil and Environmental Division

grp

Enclosures

cc: Donna Janda/NRC Region 1, w/enclosures