



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

January 14, 2008

Docket No. 03033387

License No. 29-30107-01

Chris Lopez, P.E.
Regional Chief Executive & RSO
U.S. Engineering Laboratories, Inc.
903 East Hazelwood Avenue
Rahway, NJ 07065

SUBJECT: INSPECTION 03033387/2007001, U.S. ENGINEERING LABORATORIES, INC.,
RAHWAY, NEW JERSEY SITE, THE HAMMONTON, NEW JERSEY SITE,
BROOMALL, PENNSYLVANIA SITE, AND TEMPORARY JOB SITES
LOCATED IN KING OF PRUSSIA, PENNSYLVANIA AND RAHWAY, NEW
JERSEY AND NOTICE OF VIOLATION

Dear Mr. Lopez:

On November 15, December 4 & 6, 2007, Judith A. Joustra of this office conducted a safety inspection at the above address, 199 North Chew Road, Hammonton, New Jersey, and 857 Sussex Boulevard, Broomall, 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 at the conclusion of the inspection, and during a telephone discussion between you and Ms. Joustra of this office on January 14, 2008.

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 the 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.

The violation specified in the Notice of Violation enclosed with this letter was identified during a previous inspection of your licensed activities and documented in a Notice of Violation enclosed with our letter dated May 22, 2007. From this inspection, it appears that your corrective actions were not completely effective since this item has recurred. Therefore, in your response to this letter, you should give particular attention to those actions taken or planned to ensure that identified items of noncompliance will be completely corrected and will not recur.

In addition, a violation of 10 CFR 20.1101(c) occurred during 2005, this non-repetitive, licensee-identified and corrected violation is being treated as a Non-Cited Violation, consistent with Section VI.A of the NRC Enforcement Policy.

Current NRC regulations are included on the NRC's website at www.nrc.gov ; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov ; select **About NRC; Organization and Functions; Office of Enforcement; About Enforcement**; then **Enforcement Policy**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Please contact Ms. Joustra at 610-337-5355, if you have any questions regarding this matter.

Sincerely,

Original signed by Marie Miller

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

Enclosure:
Notice of Violation

cc:
State of New Jersey
Commonwealth of Pennsylvania

C. Lopez

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Sincerely,

Original signed by Marie Miller

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

Distribution:

D. J. Holody, RI

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SUNSI Review Complete: JJoustra

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NAME	JJoustra jaj		MMiller mtm1				
DATE	1/14/08		1/14/08				

NOTICE OF VIOLATION

U.S. Engineering Laboratories, Inc.
Rahway, NJ

Docket No. 03033387
License No. 29-30107-01

During an NRC inspection conducted on November 15, December 4 & 6, 2007, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition No. 21 of License No. 29-30107-01 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures contained in the letter dated January 27, 2004.

Item 10 of Appendix B to the letter dated January 27, 2004, states that the licensee will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol.1, Rev.1. The Operating Procedures in Appendix H requires that gauges be signed out in a log book (that remains at the storage location) including the date(s) of use, name(s) of 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, as of November 15, 2007, the licensee failed to sign out two gauges as required by Appendix H. Specifically, the required log book did not contain a the entire sign out date for a Troxler gauge, Model 3440, Serial No. 30280. The sign out date identified only the month the gauge had been taken out of storage. In addition, another Troxler gauge, Model 3430, Serial No. 32794 had been signed out on July 30, 2007, by one authorized user, however, the gauge had been transferred to another authorized user and this transfer had not been documented in the log book.

This is a Severity Level IV violation (Supplement VI)

REPEAT VIOLATION

Pursuant to the provisions of 10 CFR 2.201, U.S. Engineering Laboratories, Inc. 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
U.S. Engineering Laboratories, Inc.

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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 14th day of January 2008