



February 6, 2008

United States Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555

Reference: Reply to a Notice of Violation, Docket No. 03033387, License No. 29-30107-01

Subject: Inspection **03033387/2007001** U.S. Engineering Laboratories Inc.

U.S. Engineering Laboratories Inc. has prepared the following response to the above referenced Notice of Violation dated January 14, 2008.

1. The alleged violation of not completing the entire date on the Utilization Log was an oversight on the part of the inspector who had previously been trained on the procedure for logging in and out of gauges. The second violation entailed the transferring of a gauge after a minor traffic accident from one authorized user to another authorized user. The authorized individual who accepted responsibility of the gauge did not properly document this transfer as he had been previously trained to do.
2. Upon this discovery, the two individuals were reprimanded by the business unit manager in strict accordance with the USEL enforcement policy violation #1 with a penalty assessment of one day suspension (1st violation). Upon their return, these individuals were each retrained in the proper procedures for signing in/out or transferring gauges. Attached please find the record of the reprimand letters and a copy of the newly signed enforcement policy for the two individuals mentioned above.
3. The following additional steps have been taken to avoid any further occurrence and/or recurrence:
 - a) New NDG utilization log format and log book established for each office

Bureau Veritas North America, Inc.

U.S. Laboratories Inc.
903 E. Hazelwood Avenue
Rahway, NJ 07065

Main: (732) 382-3553
Fax: (732) 382-8840
www.us.bureauveritas.com

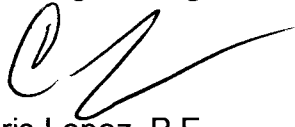
IED 7
RGN 1

- b) Staff in each of the three offices have been retrained on the practice of correctly and fully completing this new NDG utilization log format and log book.
 - c) Calendars posted at each signout location to provide easy access to the date.
 - d) Enforcement policy reviewed with authorized users and relevant staff on January 7th and January 25th 2008.
 - e) Monthly review of the utilization log by RSO and ARSOs to verify compliance
4. As of this date, total compliance as required of the above notice of violation has been achieved.

We feel strongly that the root cause analysis performed by our firm and the implemented corrective and preventive actions taken, will prevent further recurrence of said alleged violations.

Sincerely submitted,

U.S. Engineering Laboratories Inc.



Chris Lopez, P.E.
Regional Chief Executive/RSO

Enc: Reprimand letters (2) and USEL Enforcement Policy
cc: USNRC Regional Administrator Region 1
BVNA Corporate Radiation Safety Officer





BUREAU VERITAS

Bureau Veritas

Radiation Safety Program - Enforcement Policy Violation Notice

Employee Information

Employee Name: Bill Cline Date: December 12, 2007
Employee ID: Job Title: Technician
Business Unit Manager: Chuck Westen/Chris Lopez Department: Hammonton NJ

Type of Warning

[X] First Violation Warning [] Second Violation Warning [] Final Violation - Termination

Type of Offense

[X] Failure to sign in/ out gauge [] Not carrying shipping papers in cab [] Storing gauge at home/ left NDG unattended
[] Failure to wear dosimetry badge [] Violation of Radiation Safety Rules [] Making false statements to RSO / officials
[] Other:

Details

Description of Violation:

Failure to properly sign out nuclear density gauge s/n 32794. Gauge was not transferred in the log book after being picked up from another authorized user.

Corrective Action Taken:

On December 12, 2007 this Radiation Safety Program Enforcement Policy Violation Notice was given to Bill Cline for not completing the sign out log upon taking possession of the gauge. Mr. Cline indicated that the violation was an oversight while being sent to pick up the gauge from another certified operator who was involved in a minor traffic accident and being redirected to another project site and inadvertently forgot to transfer possession of the density gauge in the log book when returning to the office. Mr. Cline further acknowledged that this was an isolated incident and would not happen again. Mr. Cline had been instructed on the company's NDG Enforcement Policy, the types of violations it covered and the corresponding penalty assessments. Mr. Cline by signing the form (see attached) acknowledged reading and understanding the enforcement policy and the penalties that would be assessed for violating such policies.

One day suspension on 12-13-07

Consequences of Further Infractions:

Employee shall receive a 2nd and final written warning and a 3-day suspension of work w/o pay until demonstration of satisfactory understanding and knowledge of the requirements and safe practices to the Corporate RSO. Third violation will result in termination of employment.

Acknowledgement of Receipt of Warning

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your RSO have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

[Signature] Date 12-12-07
Employee Signature

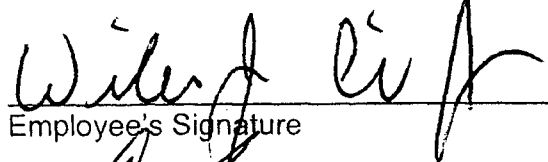
[Signature] Date 12-12-07
Radiation Safety Officer/Manager Signature

Witness Signature (if employee understands warning but refuses to sign) Date 12-12-07

U.S. LABS PORTABLE NUCLEAR GAUGE ENFORCEMENT POLICY

VIOLATION	PENALTY ASSESSMENT		
	1 st VIOLATION	2 nd VIOLATION	3 rd VIOLATION
1. Failure to sign out a gauge or wear badge/dosimeter or operate gauge in a safe manner.	A. Employee shall receive a written warning and a one-day suspension of work until demonstration of understanding and knowledge of requirements and safe practices to their RSO.	B. Same as 1 st offense plus the employee's suspension from work for 3 work days without pay.	C. Termination of employment
2. Failure to transport gauge without proper labeling, without transportation/shipping papers or in their proper location inside cab of vehicle (i.e. on passenger seat or driver's side door pocket).	B. Same as A above	Same as B above	Termination of employment
3. Failure to have gauge's trigger and case both properly locked when in storage, transport, or if time between tests is greater than 30 minutes.	C. Same as A above	Same as B above	Termination of employment
4. Leaving gauge unattended while on a jobsite or during transportation and/or improperly storing gauge on a jobsite overnight.	D. Employee shall receive a written warning and a 3-day suspension of work w/o pay until demonstration of satisfactory understanding and knowledge of the requirements and safe practices to their RSO.	Same as 1 st offense plus the employee's suspension from work for 5 days.	Termination of employment
5. Taking a gauge home or to any other unauthorized location	E. Same as D above	Same as above	Termination of employment
6. Making false statements to regulators and/or RSO.	F. Same as D above	Termination of employment	N/A

I have read and understand the enforcement policy and the penalties that will be assessed for violating any of the policies.



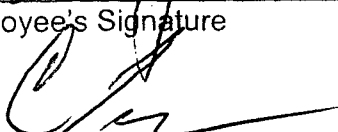
Employee's Signature

William J Cline Jr

Name Printed

12/12/07

Date



Radiation Safety Officer's Signature

CHRIS LOPEZ

Name Printed

12-12-07

Date



BUREAU VERITAS

Bureau Veritas

Radiation Safety Program - Enforcement Policy Violation Notice

Employee Information

Employee Name: James Killeri Date: December 6, 2007
Employee ID: Job Title: Technician
Business Unit Manager: Chuck Westen Department: Hammonton NJ

Type of Warning

[X] First Violation Warning [] Second Violation Warning [] Final Violation - Termination

Type of Offense

[X] Failure to sign in/ out gauge [] Not carrying shipping papers in cab [] Storing gauge at home/ left NDG unattended
[] Failure to wear dosimetry badge [] Violation of Radiation Safety Rules [] Making false statements to RSO / officials
[] Other:

Details

Description of Violation:

Failure to properly sign out nuclear density gauge s/n 30280. Complete date of sign out was not included on the log.

Corrective Action Taken:

On December 6, 2007 this Radiation Safety Program Enforcement Policy Violation Notice was given to James Killeri for not fully completing the sign out date on the utilization log when logging out the gauge. Mr. Killeri indicated that the violation was an oversight while being in a rush to get to a project site and not sure of the actual date just recorded the month and year. Mr. Killeri further acknowledged that this was an isolated incident and would not happen again. Mr. Killeri had been instructed on the company's NDG Enforcement Policy, the types of violations it covered and the corresponding penalty assessments. Mr. Killeri by signing the form (see attached) acknowledged reading and understanding the enforcement policy and the penalties that would be assessed for violating such policies.

To assist with any confusion of dates in the future, a calendar has been posted at the sign-out location.

One day suspension on 12-7-07

Consequences of Further Infractions:

Employee shall receive a 2nd and final written warning and a 3-day suspension of work w/o pay until demonstration of satisfactory understanding and knowledge of the requirements and safe practices to the Corporate RSO. Third violation will result in termination of employment.

Acknowledgement of Receipt of Warning


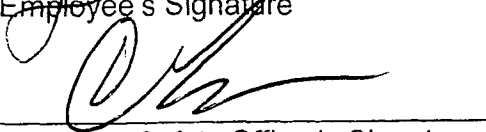
By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your RSO have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature: [Signature] Date: 12-6-07
Radiation Safety Officer/Manager Signature: [Signature] Date: 12-6-07
Witness Signature (if employee understands warning but refuses to sign) Date:

U.S. LABS PORTABLE NUCLEAR GAUGE ENFORCEMENT POLICY

VIOLATION	PENALTY ASSESSMENT		
	1 st VIOLATION	2 nd VIOLATION	3 rd VIOLATION
1. Failure to sign out a gauge or wear badge/dosimeter or operate gauge in a safe manner.	A. Employee shall receive a written warning and a one-day suspension of work until demonstration of understanding and knowledge of requirements and safe practices to their RSO.	B. Same as 1 st offense plus the employee's suspension from work for 3 work days without pay.	C. Termination of employment
2. Failure to transport gauge without proper labeling, without transportation/shipping papers or in their proper location inside cab of vehicle (i.e. on passenger seat or driver's side door pocket).	B. Same as A above	Same as B above	Termination of employment
3. Failure to have gauge's trigger and case both properly locked when in storage, transport, or if time between tests is greater than 30 minutes.	C. Same as A above	Same as B above	Termination of employment
4. Leaving gauge unattended while on a jobsite or during transportation and/or improperly storing gauge on a jobsite overnight.	D. Employee shall receive a written warning and a 3-day suspension of work w/o pay until demonstration of satisfactory understanding and knowledge of the requirements and safe practices to their RSO.	Same as 1 st offense plus the employee's suspension from work for 5 days.	Termination of employment
5. Taking a gauge home or to any other unauthorized location	E. Same as D above	Same as above	Termination of employment
6. Making false statements to regulators and/or RSO	F. Same as D above	Termination of employment	N/A

I have read and understand the enforcement policy and the penalties that will be assessed for violating any of the policies.

	James Killeri	12-6-07
Employee's Signature	Name Printed	Date
	CHRIS LOPEZ	12-6-07
Radiation Safety Officer's Signature	Name Printed	Date