



## MENZIES ENGINEERING GROUP

ENGINEERING SURVEYING SOILS ENVIRONMENT

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RECEIVED

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DNMS

SENT VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

September 15, 2008

U.S. Nuclear Regulatory Commission  
ATTN: Regional Administrator  
Region IV  
612 East Lamar Blvd., Suite 400  
Arlington, Texas 76011-4125

Re: Reply to a Notice of Violation; IA-08-010

Dear Mr. Collins:

This letter is my reply to your agency's Notice of Violation regarding the matter of an unlocked second tangible barrier for the nuclear densometer storage facility at the site of my former employer, R&M Engineering-Ketchikan, Inc. in September, 2007.

The violation resulted from an unlocked inner barrier door on the company's nuclear densometer storage facility. The inner door that formed the inner barrier was installed by me, personally, in accordance with your agency's requirements for a second tangible barrier. Unfortunately, the second barrier was not locked when it was initially observed by your inspector, Mr. Donovan. The lock had not been installed until that time due to my delayed attention to the matter as the result of an extraordinarily burdensome season of field work leading up to and beyond that time.

Corrective action was made when the inner door was fitted with a lock within minutes of Mr. Donovan's initial observation. It is my understanding that the inner barrier has been in use with the lock ever since. Since that time I have also resigned my position with R&M, including my duties as Radiation Safety Officer, and have not operated any nuclear gauges since that time.

Upon my resignation from R&M, I established an engineering and surveying firm much like R&M, but employing only myself. In doing so I chose not to own or operate nuclear densometers due to the expense involved, because my office is now at my home, so storage here would be illegal, and to avoid such an incident as this in the future. In addition, I have no intention of owning or operating nuclear densometers, or any other nuclear devices for the foreseeable future.

All of the corrective steps above were completed by January 31<sup>st</sup> of 2008 when I left the employment of R&M Engineering-Ketchikan, Inc. I have had little contact with R&M since that time, but it is my understanding that they are operating the gauges in full compliance with your agency's regulations.



*NRC Region IV-Regional Administrator  
Reply to a Notice of Violation; IA-08-010  
September 15, 2008  
Page 2*

Sincerely,

MENZIES ENGINEERING GROUP, INC.



Scot A. Menzies, P.E., L.S.

cc: MEG Business Files

