August 31, 2009

IA-08-014

Joseph S. Shepherd
[Address Deleted
Under 10 CFR 2.390]

Dear Mr. Shepherd:

Thank you for your letter dated July 27, 2009, which provided documentation attesting to your completion of Conditions 5 and 6 of Section III of the *Order Prohibiting Involvement in 10 CFR Part 71 Activities and Conditioning Other NRC Licensed Activities-Effective Immediately* (Order) issued to you on September 8, 2008. My staff has reviewed the documentation you provided and verified that you have fully satisfied these conditions.

In addition, this will formally acknowledge receipt of your letter dated September 25, 2008, which responded to the requirements of Condition 2 of Section III of the Order. In that letter you (1) provided a list of lessons learned from this situation; (2) identified measures to avoid recurrence of the violations; and (3) provided reasons why the NRC should have confidence that you will perform licensed activities in accordance with NRC regulations in the future. Based on our review of your September 25, 2008 letter, I have determined that the requirements of Condition 2 have also been satisfied.

The remaining conditions of the Order remain in effect, including the requirements that you: (1) notify customers that the NRC has issued you an Order; (2) make available to the customer a copy of the Order; and (3) notify the NRC no later than 5 business days prior to conducting licensed activities in NRC jurisdictions. Additionally, this letter does not relax any requirement imposed upon you by the Department of Justice.

You are not required to respond to this letter; however, if you choose to provide one, your response should not, to the extent possible, include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

Sincerely,

/RA/

Cynthia A. Carpenter, Director
Office of Enforcement

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Sincerely,
/RA/

Cynthia A. Carpenter, Director
Office of Enforcement

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