

November 30, 2009

Mr. Steven A. Reynolds, Director  
Division of Nuclear Materials Safety  
U.S. Nuclear Regulatory Commission, Region III  
2443 Warrenville Road, Suite 210  
Lisle, IL 60532-4352

Re: In the Matter of Christopher S. Loyd – IA-09-044  
Radiation Safety Officer, Earth Exploration, Inc.



7770 West New York Street  
Indianapolis, IN 46214-2988  
317-273-1690 (FAX) 317-273-2250

4310-C Technology Drive  
South Bend, IN 46628  
574-233-6820 (FAX) 574-233-8242

Dear Mr. Reynolds:

As you are aware, as required by a Confirmatory Order by the Nuclear Regulatory Commission (NRC), which was a result of an agreement reached during an Alternative Dispute Resolution mediation conducted at your facility August 25, 2009, I am submitting my plan of action related to maintaining an effective Radiation Safety Program (RSP) for my employer, Earth Exploration, Inc. (EEI).

This plan was actually conceived beginning late July of 2008, when Ms. Deborah Piskura of the NRC informed me and EEI of infractions related to the ineffective execution of our radiation safety program as required by our license. Immediate response to these infractions was made as documented by our Statement of Commitment correspondence to the NRC dated August 15, 2008.

Because of these infractions, and my interest in having a more clear and specific understanding of my responsibilities and requirements as Radiation Safety Officer (RSO) for EEI, my initial major action in this plan was to enroll myself in a RSO training course provided by Troxler Electronic Laboratories, Inc. I attended this course in Cincinnati, Ohio, and received a Certificate of Completion dated November 6, 2008. The information provided during the training not only put focus on the issues related to the infractions noted by Ms. Piskura, but also provided valuable insight to the effort necessary to implement an effective RSP. As a result of this training, immediate action was made by me and the management of EEI in making a complete review of our RSP and correcting, up-dating, or modifying if necessary, any items of incompleteness or concern with our RSP.

Although the infractions cited to us by the NRC have been corrected, we continue to revisit the issues related to transportation, security and radiological safety with our gauge operators. In addition, other items related to our RSP have been addressed such as public dosage, up-dating forms, the review process of dosimetry reports and leak tests,

and emphasis of our company ALARA philosophy. In summary, I now use the RSO training documents diligently and plan on effectively executing our RSP.

It should also be noted that a major influence in my current implementation of an effective RSP now includes involvement with our program by my immediate supervisor, Mr. Richard Olson, Vice President of EEI. Mr. Olson has encouraged management oversight in a positive manner by being diligent about a chain of command as related to communication and the execution of the RSP. This is a positive team effort, where not only myself, but other employees check on persons that they are responsible for as needed. In some cases this involves checks on a daily basis (e.g., to confirm that the technicians are following the program requirements with transportation and operation of the gauges in the field) and others on a less frequent basis (e.g., the principal confirming that a written audit is performed on an annual basis). Reminders have been included in our Microsoft Outlook® calendar function to confirm the less frequent activities, in order to make our RSP work effectively.

I trust this correspondence provides you with the information necessary in your understanding of my plan of accomplishment. I wish to note that for a significant period of time; myself and EEI did actually effectively put into practice a successful RSP. The causes of the infractions we incurred were unfortunate and were due to somewhat special conditions. Unfortunately, we now realize how easily it is to allow a program to come into non-compliance. I wish to emphasize I do understand the level of commitment that is necessary to make the program work and fully intend to administer the plan diligently. I also understand that my activity in maintaining the program is not a temporary fix for the time being, but a long term commitment to a quality safety culture. Should you have any questions or if you are in need of any documentation that has not been provided, please contact me at your convenience.

Sincerely,

**EARTH EXPLORATION, INC.**



Christopher S. Loyd  
Radiation Safety Officer

c: Richard D. Olson, P.E.