

CONTRACTORS FOR:

ROOFING
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HEATING & AIR CONDITIONING SYSTEMS
& SERVICE

ROOFING & SHEET METAL COMPANY

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March 31, 2010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Reply to a Notice of Violation

Re: NRC Inspection Report No. 03032939/2010001

Dear Sir or Madam:

The following is in response to the Notice of Violation which was received on March 10, 2010, regarding the above referenced inspection report.

1) *Reason for violations.* Violations committed were due to infrequent use of the Troxler unit as well as to clerical oversight in not tracking expiration of training certifications or docketing the need for annual review of the Radiation Protection Program.

2) *Corrective steps taken and results achieved.* I have currently completed the Hazmat Certification testing from Troxler Hazmat Course. (Please see attached copy of Hazmat Certification.) Furthermore, I have instructed all trained Troxler personnel not to handle, transport, or have any contact with the Troxler nuclear machine until Hazmat Certification training has been completed.

On March 26, 2010, we conducted an annual radiation program review with all personnel involved with Troxler machine and discussed all handling and safety aspects of the Troxler machine.

3) *Corrective steps taken to avoid further violations.* In order to prevent reoccurrence of such violation of the required three year hazardous material training and the annual radiation program review, we have set in place automatic reminders for each of these items on my Microsoft Outlook calendar, each of the trained personnel's Outlook calendars as well as an administrative individual's Outlook calendar as a means of a backup. Also, we have placed a reminder on our Troxler packet to review each time it has been used.

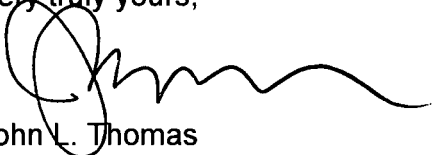
4) *Date for full compliance.* Date of full compliance will be no later than May 1, 2010.

IE07
NR12

U.S. Nuclear Regulatory Commission
March 31, 2010
Page 2

I hope these measures taken meet all compliance requirements, and we thank you for helping us stay in compliance. If you have any questions regarding this matter, please do not hesitate to call.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Thomas". The signature is fluid and cursive, with a large initial "J" and a long, wavy tail.

John L. Thomas
Radiation Safety Officer
Tri-State Roofing & Sheet Metal Company

JLT/kp

Enclosure

cc: Ms. Marie Miller - US Nuclear Regulatory Commission – Region 1

HAZMAT CERTIFICATION

as required by U.S. DOT and IATA

This certifies that
John Thomas

has been trained and tested in accordance with the U.S. Department of Transportation and International Air Transport Association (IATA) hazardous material requirements for general awareness/familiarization, function-specific, safety, and security awareness training as related to the transportation of nuclear gauges. A description of the training course materials is available from Troxler Electronic Laboratories, Inc. This certificate expires three years from the training date shown below.

March 24, 2010

EMPLOYER CERTIFICATION

I certify that the HAZMAT employee identified on this certificate has been trained and tested as required by the Hazardous Material Regulations, Subpart H.

Signature _____

Title _____



The Leader in Construction Testing Equipment

Troxler Electronic Laboratories, Inc.

PO Box 12057-3008 Cornwallis Road - Research Triangle Park, NC 27709

Phone: (919) 549-8661 - Fax (919) 549-0761 - www.troxlerlabs.com

Course: Troxler Hazmat Course

Tracking Code: BM8DA78JK8DMI76J5H7AM8A

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