



AUTORIDAD DE CARRETERAS Y TRANSPORTACIÓN
 PUERTO RICO HIGHWAY AND TRANSPORTATION AUTHORITY
 GOBIERNO DE PUERTO RICO

José A. Alvarez-Bruno
 PR Highway and Transportation Authority
 Materials Testing Laboratory
 P.O. Box 42007
 Jan Juan, PR 00940-2007

April 15, 2010

Regional Administrator, Region I
 U.S. Nuclear Regulatory Commission
 475 Allendale Road
 King of Prussia, PA 19406-1415

52-24983-01/2009008
 2010 APR 28 AM 11:23
 RECEIVED
 REGION 1

**RE: REPLY TO A NOTICE OF VIOLATION - (EA-10-038)
 DOCKET NO. 030-30523**

Pursuant to the provisions of 10 CFR 2.201, we are providing our explanation regarding the Notice of Violation - EA-10-038 dated March 16, 2010 .

Violation A - License Condition 13.C

1. The violation is accepted as stated.
2. The reason for the violation is attributed to the fact that the owner of the equipment was unknown. Therefore, leak testing for the nuclear gauge was not performed by the responsible party.
3. The Puerto Rico Highway and Transportation Authority has accepted ownership of the gauge (as described further in Violation B) and performed the corresponding leak test on December 16, 2009 as the corrective measure to this violation.
4. Date of full compliance - December 16, 2009.

Violation B - 10 CFR 30.3(a)

1. The violation is accepted as stated.
2. The reason for the violation is attributed to the fact that the owner of the equipment was unknown.
3. The Puerto Rico Highway and Transportation Authority has accepted ownership of the gauge by means of requests for amendment to the NRC License 52-24983-01 to clarify and accept ownership on December 15, 2009 and January 26, 2010.
4. Date of full compliance as per letter dated February 5, 2010, Control No. 144343 in which amended license was received.

If you have any questions or need any further information, please feel free to contact me at the address above.

Sincerely,

José A. Alvarez-Bruno
 José A. Alvarez-Bruno
 Radiation Safety Officer



NMSS/RGNI MATERIALS-004

PO Box 41243, San Juan, PR 00940 - 1243
 T (787) 294.2424 • F (787) 294.0166