



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

July 9, 2010

Docket No. 03036569

License No. 52-30913-01

Jamie Sanchez
President
S & R Engineering S.E.
P.O. Box 29406
65th Infantry Station
San Juan, PR 00929

SUBJECT: REQUEST FOR RESPONSE TO NRC ORDER REVOKING LICENSE

Dear Mr. Sanchez:

This refers to your NRC License No. 52-30913-01, that had authorized byproduct material use and storage in a CPN Model MC-3 portable gauge, and the NRC Order Revoking License (Order), dated October 29, 2009, that became effective because of nonpayment of license fees.

During a NRC site inspection on December 15, 2009, your office staff provided information about a portable gauge in your possession that was being used at a temporary job site. The Order (ML093060122) restricted use of the radioactive material to secure storage until its disposal or transfer to an authorized recipient within sixty days from the date of the Order. On February 10, 2010, during an NRC follow-up site inspection, NRC confirmed that the gauge was returned to your San Juan office and was being properly maintained in secure storage. In your electronic mail message to me dated February 24, 2010, you provided additional information related to storage of the gauge and confirmed that the gauge was not being used. We discussed that information with you, and informed you that continued non-compliance with the Order may result in NRC taking escalated enforcement action, including the imposition of fines or civil penalties. After that date, we placed several telephone calls to you and left messages with your office and on your personal cellular telephone, but were unable to contact you with regard to your plans for final disposition of the gauge.

During another NRC site visit conducted on April 12, 2010, our inspector found the gauge was still in your possession, and informed you and your Radiation Safety Officer, Mr. Hector Galarza, that the gauge must be either properly disposed of or transferred to an authorized recipient immediately. Since that time, we have not been notified that the gauge was transferred, nor have we been able to contact you. S & R Engineering S.E. continues to be in non-compliance with the Order as long as the gauge remains in your possession and NRC fees remain unpaid.

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

J. Sanchez

Accordingly, we request that you dispose or transfer the gauge immediately. Contact me at (610) 337-5205 within ten (10) days of the receipt of this letter to discuss and resolve the disposal of the gauge. The NRC plans to inspect your facility in the near future to ensure you have taken appropriate action. With regard to payment of fees, this matter has been referred to the United State Department of Treasury, and you must coordinate with that federal agency directly.

Sincerely,

Original signed by Marie Miller

Marie T. Miller, Chief
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

cc:
Hector Galarza, RSO
Commonwealth of Puerto Rico

J. Sanchez

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Sincerely,

Original signed by Marie Miller

Marie T. Miller, Chief
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

cc:
Hector Galarza, RSO
Commonwealth of Puerto Rico

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