



GeoConcepts Engineering, Inc.

19955 Highland Vista Dr., Suite 170
Ashburn, Virginia 20147
(703) 726-8030
www.geoconcepts-eng.com

June 28, 2011

Ms. Judith Joustra
United States Nuclear Regulatory Commission Region I
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

Subject: NRC Inspection Report No. 03035002/2011001, GeoConcepts Engineering, Inc., Ashburn, Virginia

Dear Ms. Joustra:

GeoConcepts Engineering, Inc. (GeoConcepts) has prepared this letter to provide a response to the subject inspection report referenced above. This letter should be considered part of the Pre-Decisional Enforcement Conference planned for June 29, 2011, which is being held to determine the enforcement penalty for an apparent violation noted in the subject inspections report.

We understand that GeoConcepts is being considered for escalated enforcement for an apparent violation of 10 CFR 30.34(i), which requires a minimum of two independent physical controls that form tangible barriers to secure a portable nuclear density gauge. This apparent violation was listed as a "repeat" violation.

This letter includes information to clarify or correct findings indicated in the subject inspection report. It further provides detailed information regarding the corrective actions taken immediately following the apparent violation and longer term corrective actions that have been enacted as a result of the apparent violation and the subsequent meeting with NRC representatives on March 14, 2011.

The subject inspection report indicates that this apparent violation is considered a repeat violation because it is "similar" to a previous violation conducted during a routine inspection by NRC. At the inspection conducted in 2007, GeoConcepts was cited for not providing two independent barriers to secure the gauge during transport. Specifically, nuclear gauges were being secured by only one chain and lock barrier during transportation. Upon notification of this issue, GeoConcepts immediately purchased additional locks and chains ensuring that two independent barriers could be used to secure the gauge. We respectfully disagree that a violation related to transportation of a nuclear gauge should be considered the same as a violation related to securing a portable gauge that is not under our control and constant surveillance.

We also believe there are some clarifications needed regarding the method used to secure the portable gauge that was referenced in the subject inspection report. The inspection report notes that the job box only had a single chain and lock on the lid to secure the portable gauge from unsecured removal. We feel that the inspection report does not properly note the discussions between GeoConcepts representatives and the NRC inspectors regarding the storage of the subject gauge. We firmly believe that the portable gauge that was stolen from the Fort Meade project site was secured in accordance with NRC requirements. The gauge was chained inside a steel job box that was secured with two independent locks to prevent opening and a robust chain and lock securing the box to an unmovable sea container. Further, the gauge transfer case was secured with an additional lock and chain so the case could not be opened in order to remove the gauge. In addition, the transport case was locked inside the job box. Accordingly, we believe that the gauge was secured with more than two independent barriers. Also, please note that the Errata states that "Using two chains is not the preferred method and security licensees are encouraged to use other combinations". Due to the configuration of the lock box, we believed the combination of locking the density gauge to the interior of the steel job box, the two locks on the lid of the job box and the heavy chain and lock securing the box to the sea container met the

requirements of the 10 CFR 30.34 (i) and the Errata providing both a deterrence and delay mechanism. Regardless of the decision as to whether the subject apparent violation was an actual violation, GeoConcepts took both immediate and longer term corrective actions to address the concerns raised by the NRC inspection. GeoConcepts has implemented the following corrective actions:

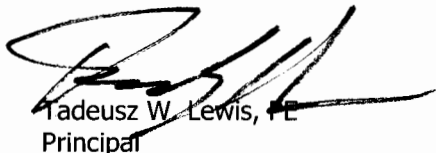
- Immediate Action – Upon notice of this violation on Friday, March 25, 2011, our Radiation Safety Officer (RSO), Shawn Harris, immediately contacted each field technician and provided verbal instructions on how the nuclear gauges are to be chained and locked so that compliance can be obtained. In addition, Mr. Harris visited all sites where our nuclear gauges are being stored temporarily to confirm the chain and lock procedures have been changed as indicated herein. A photograph showing the revised locking procedures that have been implemented is attached.
- Immediate Action – At an April 20, 2011 Construction Services Group meeting, GeoConcepts required all field representatives and other staff members who utilize the nuclear density gauge to attend and participate in a presentation on the changes to our standard operating procedures with regard to securing the portable gauges. This presentation included hands on training on the modified procedures to confirm each staff member fully understands the changes made.
- Longer Term Action – The presentation made on April 20, 2011 will be repeated on at least an annual basis to ensure that new employees hired after the April 20, 2011 meeting understand the requirements, and to re-emphasize the requirements to existing staff. Attendance by field personnel who utilize the portable gauges will be mandatory.
- Longer Term Action – GeoConcepts standard operating procedure has been updated to include a requirement that each staff member who secures a portable gauge at a job site provide our RSO photographic documentation of the method used to secure the gauge. In addition, our RSO or the assigned Project Manager will make at least one unannounced visit during the course of the time the gauge is stored remotely at a project site to confirm the procedures for securing the portable gauge are being followed.

GeoConcepts believes it has endeavored to utilize and manage its portable gauges in compliance with NRC regulations. We are hopeful that the clarifications provided in this letter provide you with the information needed to reduce the severity of the enforcement action from an escalated enforcement action, and to eliminate any penalty related to this issue. Regardless of the outcome of this issue, GeoConcepts remains committed to ensuring that the use of portable gauges follows the protocols and requirements set forth by the NRC. While we may disagree with some of the information provided in the subject inspection report, we will abide by the ruling that will be made on this case.

Sincerely,
GEOCONCEPTS ENGINEERING, INC.



Shawn Harris
Radiation Safety Officer



Tadeusz W. Lewis, P.E.
Principal

Attachment: Photograph Presenting Revised Procedure for Securing Portable Gauges

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