

**U.S. NUCLEAR REGULATORY COMMISSION****Date:** 06/30/2011**TELEPHONE CONVERSATION RECORD****Time:** 1300 hrs**Mail Control  
or Report No(s).**15000045/  
2011006**License No(s).**

(former 45-25554-01)

**Docket No(s).**03035689  
VA-383-298-1**Name of Licensee:** Construction Testing & Engineering, Inc. (CTE)**Name of Participant(s):** Hassan Tajick (RSO), CTE  
Laurie Kauffman, Health Physicist, DNMS, RI  
Shawn Seeley, Health Physicist, DNMS, RI  
Marjorie McLaughlin, Senior Enforcement Specialist, OE, RI**Telephone No.** (703) 335-0182; Fax (703) 335-2212**Subject:** Clarification of letter dated June 14, 2011, Response to Apparent Violation in  
Inspection Report No 15000045/2011006**(NOTE: This will be used as the  
Documents Title in ADAMS)**

On March 15, 2011, the NRC conducted an inspection of the above mentioned licensee, and on May 19, 2011, issued an inspection report describing the results of the inspection (LTR ML111430816; RPT ML111430821). Based on the inspection, three apparent violations were identified, of which two are being considered for escalated enforcement in accordance with the NRC Enforcement Policy, and that the NRC is considering issuing CTE a civil penalty for one of the two escalated enforcement topics.

In the above subject letter, dated June 14, 2011 (ML111721564), and in a previous correspondence, dated April 13, 2011 (ML111050124), CTE provided their response to the apparent violations.

In addition, CTE made the following statement in the above subject letter, dated June 14, 2011: "Please consider that we are small company and due to the slow economy we have had financial difficulty to continue our operation. According to the President Obama "government must assist small business owners to be able stay in business and hire more employees"."

The purpose of this call is twofold.

- 1) Clarify how CTE intends to secure the car keys when a portable gauge is stored in the vehicle, more specifically, when the portable gauge is not under the control and constant surveillance of the CTE, and
- 2) Provide the rationale behind the financial difficulty statements

Regarding the first question, the RSO stated that CTE employees will ensure the windows are completely closed, the doors and trunk are locked, and, to ensure the security of the keys, the car keys will be in the employee's possession (i.e. placed in the employee's pocket).

Regarding the second question, the RSO acknowledged that he described CTE's financial situation in the June 14,

2011 letter in response to the statements in the cover letter to the NRC Inspection Report that the NRC is considering issuing CTE a civil penalty. He reiterated that CTE has been experiencing financial hardship for the past two (2) years, and committed to submit bank statements to that effect by July 25, 2011.

The RSO agreed to submit, in writing, the above requested information by July 25, 2011.

**Action Required: Place this email in ADAMS and wait for written response from CTE, due July 25, 2011.**

**Document Availability:**

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/RA/

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