

November 3, 2011

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CD11-0301

DNMS

Mr. Rusty Lundberg
Executive Secretary
Utah Radiation Control Board
195 North 1950 West
Salt Lake City, UT 84114-4850

Re: RML #UT2300249, Notice of Violation dated August 11, 2011; response to DRC
September 28, 2011 letter

Dear Mr. Lundberg:

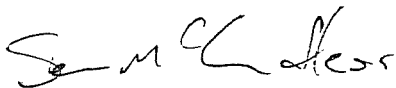
In a letter dated September 28, 2011, the Division of Radiation Control (DRC) responded to EnergySolutions' request to reconsider the Notice of Violation dated August 11, 2011. DRC maintains that a violation did occur, and directed a response be provided to document 1) corrective steps taken and the results achieved; 2) corrective steps taken to prevent recurrence; and 3) the date full compliance will be achieved.


EnergySolutions continues to respectfully disagree that shipment 9069-17-0001 exceeded Special Nuclear Material concentrations per License Condition 13.H. On September 15, 2011, a request for clarification was provided to the Nuclear Regulatory Commission (NRC). To date, a response from NRC has not been received. Accordingly, we request to provide additional response on this issue after the point of compliance has been clarified.

EnergySolutions does not request a hearing before the Utah Radiation Control Board at this time; however, EnergySolutions reserves its right to request a hearing before the Board.

Please call with any questions or concerns at (801) 649-2179.

Sincerely,



 Rick Chalk
Director of Health Physics - Clive, UT.

Cc: Mr. John Hultquist, Utah DRC
Mr. Phil Goble, Utah DRC
Mr. Blair Spitzberg, U.S. NRC