

May 27, 2014

Mr. George Walther-Meade
Leidos
11951 Freedom Drive
Reston, VA 20190

Dear Mr. Walther-Meade:

On August 10, 2013, you filed a petition pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.206, "Request for action under this subpart." You requested that the U.S. Nuclear Regulatory Commission (NRC) take immediate enforcement action by issuing an order to revoke CSMI, LLC (CSMI) License Number 20-35022-01. As the basis for the request, you stated that CSMI had committed a willful violation involving falsification of information. The NRC accepted your petition for review under 10 CFR 2.206 in a letter dated November 4, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13275A306). After the staff review, the NRC sent a copy of the proposed Director's Decision to you and to CSMI for comment on February 28, 2014 (ADAMS Accession No. ML14050A199). On April 4, 2014, you responded to the proposed Director's Decision with comments (ADAMS Accession No. ML14101A127).

In your response to the proposed Director's Decision, you provided comments to the first four concerns. The NRC addressed your first comment in the final Director's Decision (ADAMS Accession No. ML14128A277). The basis for your other three comments was not related to the original request having to do with willful falsification of information; therefore, these comments are addressed in this letter, but were not addressed in the final Director's Decision.

In summary, your comment to concerns no. 2, 3 and 4, stated that CSMI's license, as issued by the NRC, allows "Installation, radiation surveys, relocation, removal from service, source exchange, source retrieval, transportation, replacement, disposal of the sealed source, maintenance, or repair of components related to the radiological safety of Science Applications International Corporation Military Mobile VACIS." These activities encompass non-routine maintenance as explained in NUREG-1556, Vol. 18, Appendix P, "Information Needed to Support Applicant's Request to Perform Non-Routine Maintenance Checklist." CSMI initially requested the ability to conduct non-routine maintenance, but when the NRC license reviewer asked CSMI for the information in Appendix P in an email dated January 29, 2013 (ADAMS Accession No. ML13030A200), CSMI responded that they will not be providing non-routine services. Nevertheless, the license issued by the NRC authorizes CSMI to conduct the non-routine maintenance activities.

In your letter dated April 4, 2014, you requested that if the NRC does not revoke the CSMI license per your 2.206 petition, then this license should, at a minimum, be amended to restrict CSMI to conduct routine maintenance by removing the activities that are considered non-routine. The NRC staff reviewed the information you provided, as well as the licensing case file and has determined that authorizing CSMI in its license to conduct non routine maintenance was done in error. Therefore, the NRC corrected CSMI's license to authorize only the provision of routine maintenance services.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in NRC's Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

If you have questions please contact Mr. Hector Rodriguez-Luccioni at (301) 415-6004 or via email to Hector.Rodriguez-Luccioni@nrc.gov.

I would like to express my appreciation for your effort in bringing this matter to the attention of the NRC.

Sincerely,

/RA/ PHenderson for LDudes

Laura A. Dudes, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

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Laura A. Dudes, Director
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 Office of Federal and State Materials
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