



U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

October 2, 2014

Subject: Response to Notice of Violation, Docket No. 03037850

Pursuant to the provisions of 10 CFR 2.201, this letter constitutes CB&I Federal Services LLCs' (CB&I) response to the Notices of Violation transmitted by letter dated September 5, 2014 under subject "NRC Inspection Report No. 03037850/2014001, CB&I, Canton, Massachusetts Site and Notice of Violation".

Two Notices of Violation (NOV) were transmitted in the referenced letter.

Violation A states that CB&I did not follow a license-related procedural requirement to submit a baseline bioassay sample prior to beginning work that presented a potential for an internal exposure.

CB&I acknowledge the concerns presented in this NOV and provide the following responses.

1. **Reason for the violation:** Procedure SOP T-RA-013, "Bioassay and Internal Exposure Monitoring" contained an overly restrictive statement requiring the baseline bioassay in all cases regardless of the technical need to establish a baseline condition. The recovery and response actions to manage the damaged tritium exit signs were conducted with the understanding that any internal exposure identified in the post-work bioassay process would be assigned to this specific set of tasks. This decision was considered acceptable because no previous or on-going exposure to tritium was present for the individuals assigned to this response. Overly restrictive language in SOP T-RA-013 did not allow for use of judgment in establishing the need for baseline bioassay. The allowance for the use of such judgment is essential to our program so that we are not audited to a procedure that would require such baseline bioassays where there is no rational purpose for conducting such a procedure.
2. **Corrective Steps Taken and Results Achieved:** Procedure SOP T-RA-013, "Bioassay and Internal Exposure Monitoring" was revised as part of a routine program review. It has been approved internally and submitted for review and inclusion with license documents to the NRC. The revised procedure allows for scaling of the bioassay program requirements to actual conditions known or anticipated in the field.

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3. Corrective Steps to Address Concern Raised: The violations have been transmitted with context to the various and applicable work sites along with the text of the NOV which is posted as required. Additionally, radiation protection workers are required to read and understand the new procedure.
4. Date of Full Compliance: All applicable sites have been informed of the procedure change and the NOV. The procedure has been revised, approved, and submitted to the NRC. Full compliance will be considered achieved upon acceptance by the NRC. This date will be set for tracking purposes as November 14, 2014.
5. Given the information provided to date, we respectfully request that the NRC take this information into consideration to determine whether an NOV is required in this instance.

Violation B states that the periodic (at least annually) radiation protection program review required by 10 CFR 20.1101(c) was by July 15, 2014, not conducted for 2013.

CB&I Federal Services acknowledge the concerns presented in this NOV and provide the following response.

1. Reason for the Violation: The annual audit was not documented on the NUREG 1556 Checklist because only limited work was performed 2012 – 2013.
2. Corrective Steps Taken and Results Achieved: The annual review of radiation protection program content was completed and documented using the methodology and checklist contained in NUREG 1556, Volume 18. This review was submitted to the NRC as part of the response to specific questions that arose during the inspection.
3. Corrective Steps to Address Concerns Raised: The performance of the annual review has been scheduled to be conducted annually regardless of the type or duration of activity conducted under the license. The annual radiation program review will be conducted and documented using the checklist contained in NUREG 1556, Volume 18. Additionally, a document control assistant has been hired to maintain the commitment calendar and to drive the timing of required actions, including the performance and review of the periodic radiation protection program review.
4. Date of Full Compliance: While the specific actions have been completed, full compliance will be considered achieved with the performance of the 2014 periodic radiation protection program review by February of 2015.

5. Given the information provided to date, we respectfully request that the NRC take this information into consideration to determine whether an NOV is required in this instance.

Should there arise any questions regarding this response, please contact Mark O. Somerville, Director of Radiation Safety.

Sincerely,



Mark O. Somerville MPH, Ph.D.
Certified Health Physicist
Radiation Safety Center

CB&I Federal Services
mark.somerville@cbifederaleservices.com
(925) 222-0848 (work)
(805) 441-6747 (Cell)

cc: Nuclear Regulatory Commission Regional Administrator, Region 1
2100 Renaissance Boulevard, Suite 100 King Of Prussia, PA 19406-2713