

December 12, 2014
EN-14-049

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Dominion Engineering Associates, Inc. EA-14-030
Fredericksburg, VA

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL
PENALTY - \$3,500

This is to inform the Commission that a Notice of Violation and Proposed Imposition of a Civil Penalty (NOV/CP) in the amount of \$3,500 will be issued on or about December 17, 2014, to Dominion Engineering Associates, Inc. (DEA), Virginia Agreement State licensee, for a Severity Level III violation. Based on the information developed during an investigation, the Nuclear Regulatory Commission (NRC) has determined that DEA failed to file for reciprocity prior to using portable gauges containing licensed material within NRC jurisdiction in Washington, DC and at the Marine Corps Base Quantico in the Commonwealth of Virginia, areas of exclusive federal jurisdiction, on approximately 42 occasions between November 19, 2010, and April 17, 2013.

In accordance with the Enforcement Policy, the base civil penalty (CP) in the amount of \$3,500 is considered for a Severity Level III violation. The NRC considered whether credit was warranted for Identification and Corrective Action in accordance with the CP assessment process in Section 2.3.4 of the Enforcement Policy. Credit for identification was not warranted because the violation was identified as a result of an NRC investigation. Credit for corrective action was warranted because the corrective actions identified appear to be sufficient to ensure that further instances of the same nature would not occur in the future. Specifically, DEA:(1) purchased a non-nuclear density gauge for use in areas of exclusive federal jurisdiction and areas where DEA is not licensed to perform work; and (2) outlined a process for determining jurisdictional status of work locations to include contacting the program manager of the project and the Federal agency that controls the facility, if applicable, to ascertain what agency is responsible for jurisdiction of the site. The CP assessment of this violation resulted in a base CP of \$3,500.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	December 17, 2014
Telephone Notification of Licensee	December 17, 2014

The Commonwealth of Virginia will be notified.

CONTACTS: Leelavathi Sreenivas, OE/EB
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DISTRIBUTION: EN-14-049, December 12, 2014

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OFFICE	OE:ES	OE:BC
NAME	LSreenivas	SGhasemian
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