

April 9, 1998
DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'98 APR -9 P4:22

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
POWER INSPECTION, INC.)
)
(Order Imposing Civil Monetary Penalty))
)

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFF

Docket No. 30-20644-CivP

ASLBP No. 98-737-02-CivP

NUCLEAR REGULATORY COMMISSION STAFF'S
RESPONSE TO ANSWER TO NOTICE
OF VIOLATION FILED BY POWER INSPECTION, INC.

INTRODUCTION

On March 2, 1998, Paul E. Chambers filed a Request for Hearing in response to an Order Imposing Civil and Monetary Penalties issued against Power Inspection, Inc. On March 20, 1998, the Atomic Safety and Licensing Board Panel (Board) issued a Memorandum and Order (Scheduling), which, *inter alia*, granted Mr. Chambers an opportunity to amend his answer and gave the NRC Staff (Staff) fifteen days to respond to the amended answer.

On March 30, 1998, Mr. Chambers filed an Answer to the Notice of Violation (Answer). The Answer did not contest the regulatory and license violations cited in the Staff Order or supporting documents. The Answer requested that the Board dismiss the violations as they applied to Mr. Chambers.

The Staff hereby responds to the Answer to the Notice of Violation.

DISCUSSION

The Staff issued an order against Power Inspection, Inc., holder of NRC Materials License No. 37-21428-01. Mr. Chambers has stated in his Answer that he "requests that the

SECY-EHD-006

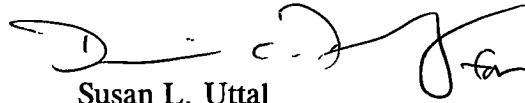
DS03

18943

Atomic Safety and Licensing Board Panel dismiss the violations as they apply to Paul E. Chambers."

The enforcement action taken is against the corporate licensee, Power Inspection, Inc. Any penalties arising from the Order would, therefore, be assessed against the corporation. Moreover, since the regulatory and license violations are not being contested, and the Staff is not seeking to hold Mr. Chambers personally responsible for the penalties, it is respectfully suggested that the case be dismissed.

Respectfully submitted,



Susan L. Uttal
Counsel for the NRC Staff

Dated at Rockville, Maryland
this 9th day of April 1998

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'98 APR -9 P 4 :22

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

| | | |
|---|---|--------------------------|
| In the Matter of |) | |
| |) | |
| POWER INSPECTION, INC |) | Docket No. 30-20644-CivP |
| |) | |
| (Order Imposing Civil Monetary Penalty) |) | ASLBP No. 98-737-02-CivP |
| |) | |

CERTIFICATE OF SERVICE

I hereby certify that copies of "NUCLEAR REGULATORY COMMISSION STAFF'S RESPONSE TO ANSWER TO NOTICE OF VIOLATION FILED BY POWER INSPECTION, INC." in the above-captioned proceeding have been served on the following by deposit into the United States mail, or through deposit in the Nuclear Regulatory Commission's internal mail system as indicated with an asterisk, or with a double asterisk by hand delivery on this 9th day of April 1998:

Administrative Judge*
Peter B. Bloch, Chairman
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Administrative Judge*
Richard F. Cole
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Administrative Judge*
Frederick J. Shon
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Paul E. Chambers
Power Inspection, Inc.
c/o PEC Contracting Engineers
P. O. Box 7872
Pittsburgh, Pennsylvania 15215

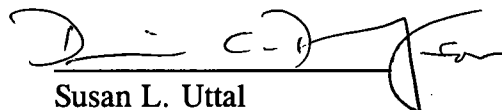
Krishna Kumar
Power Inspection, Inc.
c/o William F. Manifesto, Esq.
1550 Koppers Building
Pittsburgh Pennsylvania 15219

Office of Commission Appellate
Adjudication**
Mail Stop: O-16 G15
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Adjudicatory File (2)*
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety and Licensing Board
Panel*
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Office of the Secretary (2)**
ATTN: Rulemaking and
Adjudications Staff
Mail Stop: O-16 G15
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555



Susan L. Uttal
Counsel for NRC Staff