



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

August 11, 2016

Mr. John Neumeister
Radiation Safety Officer
Kirkland Construction
P.O. Box 580
Rye, CO 81609

SUBJECT: RESPONSE TO NOTICE OF VIOLATION

Dear Mr. Neumeister:

On June 30, 2016, the U.S. Nuclear Regulatory Commission (NRC) cited Kirkland Construction for one violation. The violation involved the failure to limit activities conducted under a general license issued pursuant to 10 CFR 150.20(a)(1) to a period of 180 days in calendar year 2012, for the possession, storage, and use of radioactive material in Hawaii, a non-Agreement State. The Notice of Violation required you to respond in writing within 30 days. You responded by letter received on August 9, 2016.

After reviewing the information provided in your response to the Notice of Violation, we have concluded that the completed and proposed corrective actions appear to adequately address the regulatory noncompliance described in the Notice of Violation. If you perform licensed activities in NRC jurisdiction in the future, we will review the implementation of these corrective actions to determine whether compliance has been restored and will be maintained.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Ray L. Kellar, P.E., Chief
Nuclear Materials Safety Branch A
Division of Nuclear Materials Safety

Docket No. 150-00005
License No. CO-528-01

cc:
State of Colorado Radiation Control Program Director
State of Hawaii Radiation Control Program Director

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State of Hawaii Radiation Control Program Director

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