



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

September 30, 2016

Jeffrey C. Woodcock, P.E.
Vice President
Civil & Environmental Consultants, Inc.
333 Baldwin Road
Pittsburgh, PA 15205

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03031452/2016002(DNMS) AND
NOTICE OF VIOLATION – CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

Dear Mr. Woodcock:

On August 24, 2016, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection at your Indianapolis, Indiana field office, with continued in-office review through September 16, 2016. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The in-office review included a review and discussions on your intent to use licensed material at your Indianapolis, Indiana field office. Ms. Deborah Piskura of my staff conducted a final exit meeting by telephone with Mr. Johnathan Niemiec of your staff on September 16, 2016, to discuss the inspection findings.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation concerned the licensee's failure to notify the NRC in writing within 60 days after no principal activities had been conducted under the license for a period of 24 months at your Indianapolis, Indiana field office, as required by Title 10 of the *Code of Federal Regulations* (CFR) Part 30.36. The violation is cited in the enclosed Notice of Violation (Notice). The NRC is citing the violation in the enclosed Notice because the inspector identified violation.

The inspector determined that the root cause of the violation was a lack of understanding of the requirement. It is our understanding that you have no immediate plans for future use of licensed material at the Indianapolis field office. Please note that you must file an amendment request with the Materials Licensing Branch to remove your former field office located at One Pennsylvania Street. You must also file an amendment request to authorize your NRC licensed activities at your current Indianapolis field office, if you wish to conduct licensed

activities at your current Indianapolis field office. These requests may be submitted simultaneously.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be useful in preparing your response. You can find the Information Notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

Please feel free to contact Ms. Piskura if you have any questions regarding this inspection. Ms. Piskura can be reached at 630-829-9867.

Sincerely,

/RA/

Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-31452
License No. 37-28465-01

Enclosure:
Notice of Violation

cc w/encl: Commonwealth of Pennsylvania
State of Indiana

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Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-31452
License No. 37-28465-01

Enclosure:
Notice of Violation

cc w/encl: Commonwealth of Pennsylvania
State of Indiana

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See next page

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OFFICE	RIII-DNMS	E	RIII-DNMS	E	RIII		RIII	
NAME	DPiskura:ps		AMcCraw					
DATE	9/30/2016		9/30/2016					

OFFICIAL RECORD COPY

Letter to Jeffrey Woodcock from Aaron McCraw dated September 30, 2016.

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03031452/2016002(DNMS) AND
NOTICE OF VIOLATION – CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

DISTRIBUTION w/encl:

Darrell Roberts
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MIB Inspectors

NOTICE OF VIOLATION

Civil & Environmental Consultants, Inc.
Pittsburgh, Pennsylvania

License No. 37-28465-01
Docket No. 030-31452

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on August 23, 2016, with continued in-office review through September 16, 2016, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the *Code of Federal Regulations* (CFR) 30.36(d) requires, in part, that licensees provide notification to the NRC in writing within 60 days of any of the following occurrences:

- (1) The license has expired,
- (2) The licensee has decided to permanently cease principal activities at the entire site or in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements,
- (3) No principal activities under the license have been conducted for a period of 24 months, or
- (4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.

Contrary to the above, as of August 23, 2016, the licensee failed to notify the NRC in writing within 60 days of the occurrence of no principal activities having been conducted for a period of 24 months at a separate building. Specifically, the licensee has not conducted principal activities at its Indianapolis, Indiana field office under NRC License No. 13-01865-02 since 2011, a period greater than 24 months.

This is a Severity Level IV violation (Section 6.3).

Pursuant to the provisions of 10 CFR 2.201, Civil & Environmental Consultants, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation or its severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance was or will be achieved. Your response may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for

Enclosure

Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 30th day of September 2016.