



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

July 10, 2017

Kemal Eralp, CIH, Principal
Comprehensive Environmental
Assessments, Inc.
423 4th Street, First Floor
Annapolis, MD 21403

SUBJECT: NRC INSPECTION REPORT NO. 03038457/2017001, COMPREHENSIVE
ENVIRONMENTAL ASSESSMENTS, INC., ANNAPOLIS, MD AND NOTICE OF
VIOLATION

Dear Mr. Eralp:

This letter refers to the inspection conducted on June 6 and 7, 2017, at your Annapolis, MD facility with continuing in-office review through June 22, 2017. This inspection examined activities as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations, and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews of personnel. The findings of the inspection were discussed with you and Steven Courtemanche of this office by telephone at the conclusion of the inspection on June 22, 2017.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. These violations were evaluated in accordance with the Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at (<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>). The violations are cited in the enclosed Notice of Violation (Notice), because the violations were identified by the NRC.

The NRC has concluded that information regarding: (1) the reason for the violations; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance will be (was) achieved is already adequately addressed on the docket. Specifically, (1) you reviewed the DOT regulations as they apply to your program; (2) you provided training in DOT regulations to HAZMAT employees and tested them by appropriate means; and (3) you have informed all of your drivers how to clearly distinguish shipping papers from other papers and where to properly store shipping papers. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC 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 available to the Public without redaction.

Current NRC regulations and guidance are included on the NRC's Web Site at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's Web Site at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

If you have any questions regarding this matter, please contact Steven Courtemanche of my staff at 610-337-5075 or via electronic mail at Steven.Courtemanche@nrc.gov.

Thank you for your cooperation.

Sincerely,



Blake D. Welling, Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 03038457
License No. 19-31444-01

Enclosure:
Notice of Violation

cc w/Encl: State of Maryland

Current NRC regulations and guidance are included on the NRC's Web Site at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's Web Site at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

If you have any questions regarding this matter, please contact Steven Courtemanche of my staff at 610-337-5075 or via electronic mail at Steven.Courtemanche@nrc.gov.

Thank you for your cooperation.

Sincerely,
/RA/

Blake D. Welling, Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 03038457
License No. 19-31444-01

Enclosure: Notice of Violation

cc w/Encl: State of Maryland

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SUNSI Review Complete: Steven Courtemanche

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OFFICE	RI:DNMS	RI:DNMS					
NAME	SCourtemanche <i>SC</i>	BWelling <i>BW</i>					
DATE	7/10/2017	7/10/17					

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Comprehensive Environmental
Assessments, Inc.
Annapolis, MD

Docket No. 030-38457
License No. 19-31444-01

During an NRC inspection conducted on June 6 and 7, 2017, with continuing in-office review through June 22, 2017, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 71.5(a) requires, in part, that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 107, 171-180, and 390-397.

49 CFR 172.702(d) requires that a HAZMAT employer shall ensure that each of its HAZMAT employees is tested by appropriate means on the training subjects covered in 49 CFR 172.704.

Contrary to the above, as of June 7, 2017, the licensee, a HAZMAT employer, did not ensure that each of its HAZMAT employees was tested by appropriate means on training subjects covered in 49 CFR 172.704.

This is a Severity Level IV violation (Enforcement Policy Section 6.8).

- B. 49 CFR 177.817(e) requires, in part, that a driver of a motor vehicle containing hazardous material shall ensure that the shipping paper required by this section is readily available to, and recognizable by, authorities in the event of an accident or inspection. Specifically, the driver shall:

- (1) Clearly distinguish the shipping paper, if it is carried with other shipping papers or other papers of any kind, by either distinctively tabbing it or by having it appear first; and
- (2) Store the shipping paper as follows:
 - (i) When the driver is at vehicle's controls, the shipping paper shall be:
 - (A) within his immediate reach while he is restrained by the lap belt; and
 - (B) either readily visible to a person entering the driver's compartment or in a holder which is mounted to the inside of the door on the driver's side of the vehicle.
 - (ii) When the driver is not at the vehicle's controls: (A) in a holder which is mounted to the inside of the door on the driver's side of the vehicle; or (B) on the driver's seat in the vehicle.

Enclosure

Contrary to the above, as of June 7, 2017, drivers of motor vehicles containing hazardous materials did not ensure that the shipping paper required by this section is readily available to, and recognizable by, authorities in the event of accident or inspection. Specifically, drivers did not clearly distinguish the shipping paper, when it was carried with other papers of any kind, either distinctively tabbing it or by having it appear first; and did not store the shipping papers by one of approved methods, instead storing the shipping papers in the trunk of the motor vehicle with the hazardous material.

This is a Severity Level IV violation (Enforcement Policy Section 6.8).

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response, if any, will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated This 10th day of July 2017