



Dutton

midwest engineering services, inc.

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May 13, 1994

Mr. B.J. Holt
U.S. Nuclear Regulatory Commission
Region III
801 Warrenville Road
Lisle, Illinois 60532-4351

Subject: "Reply to a Notice of Violation"
Routine Safety Inspection
NRC Byproduct Material License 48-26074-01

Gentlemen,

Pursuant to your letter (docket No 030-31357) dated April 15, 1994, Midwest Engineering Services, Inc. (MES) is submitting the following written statement in regards to the above referenced notice of violation.

1. Severity Level IV Violation (Supplement IV)

Response to 10CFR 20.1801 and 10CFR 20.1003 - Licensee did not control and maintain constant surveillance of said license material (Nuclear Density Gauge) in an unrestricted area by having license material in an unlocked vehicle and storage bin.

- 1A. This occurred because an MES employee had just removed the licensed material from the storage bin and placed it in his vehicle for use in the field prior to the arrival of NRC inspection personnel to our office. The cabinet would have been locked prior to leaving the office and the vehicle secured (locked) when said licensed material is unattended in the field.
- 1B. The above referenced violation was corrected by ensuring all licensed material transportation boxes were locked, locking the storage bin and locking the vehicle that the licensed material was being transported in, therefore securing all licensed material from unauthorized removal or access.
- 1C. To prevent further violation of the above referenced 10CFR sections, the following corrective steps have been implemented.

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PDR ADOCK 03031357
C PDR

geotechnical, environmental, & materials engineers

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- a. Review of securing licensed material in their transportation boxes, the storage bin and when transporting in vehicles was made with all authorized users. This included requiring that the licensed material gauge handles be locked when gauge is being transported or stored and that all storage bins and vehicles be locked when licensed material is stored in them. These procedures will again be reviewed with all authorized users in six (6) months.

1D. Compliance with the violation has been implemented at the date of this letter.

2. Severity Level V Violation (Supplement VI)

Condition 11A of License 48-26074-01 requires that the licensee maintain records of the individuals who have been designated as authorized users.

- 2A. MES maintained a list of office personnel who have been designated as authorized users, however we did not have safety training certification documents on the premises.
- 2B. The above violation was corrected by obtaining appropriate training certificates for those designated as authorized users. In the case of Mr. James Becco and Ms. Shelley Hildebrandt, we have removed them from the qualified operator list and they will not be permitted to handle the licensed material until copies of their training certificates can be obtained from their previous employer or are recertified.
- 2C. To prevent further violations the following corrective steps are being implemented.
 - a. No employee will be permitted to use licensed material until such employee has passed an authorized training program and written certification of training is on file.
 - b. To expedite appropriate training and certification, MES is preparing its own in-house training program for NRC review and approval at our next license renewal date.
- 2D. Compliance with the above referenced violation has been implemented by the date of this letter.

MES appreciates the discussion provided by your field inspection personnel in regards to our Radiation Safety Program difficulties

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and hope this letter will clarify said difficulties/violation.
Should you have any questions, please contact us at your
convenience.

Sincerely yours,

MIDWEST ENGINEERING SERVICES, INC.



Daniel B. Anderson, P.E.
Department Manager
Construction Services



Matthew A. Henderson, P.E.
Principal of Firm

March 25, 1994

QUALIFIED NUCLEAR DENSITY GAUGE OPERATOR ROSTER

<u>NAME</u>	<u>DATE OF EXAM</u>
Edward D. Zyga	1981
Matthew A. Henderson	1981
Daniel Anderson	October 5, 1989
Karl Castello	October 29, 1992
Tom Olszewski	May 22, 1990
Jozeph Misik	April 30, 1992
George Opderbeck	July 26, 1991