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JUN 08 1994

Docket No. 030-31411
License No. 45-25078-01

Louis Berger & Associates, Inc.
ATTN: Mr. Roy Attride, Jr.
Manager
P. O. Box 5410
Woodbridge, VA 22194

Gentlemen:

SUBJECT: NRC INSPECTION REPORT NO. 45-25078-01/94-01

Thank you for your response of May 19, 1994, to our Notice of Violation, issued on May 5, 1994, concerning activities conducted at your Reston, Virginia facility under NRC License No. 45-25078-01. We have evaluated your response and found that it meets the requirements of 10 CFR 2.201. We will examine the implementation of your corrective actions during future inspections.

We appreciate your cooperation in this matter.

Sincerely,

Original Signed By
D. M. Collins

Douglas M. Collins, Chief
Nuclear Materials Safety and
Safeguards Branch
Division of Radiation Safety
and Safeguards

cc: Commonwealth of Virginia

bcc: Document Control Desk
RII Docket File, DRSS

SEND	OFC	RII:DRSS	RII:DRSS	
TO	NAME	LFranklin <i>LF</i>	CMHosey <i>CMH</i>	
PDR?	DATE	6/8/94	6/8/94	6/ /94
Yes No	COPY?	Yes No	Yes No	Yes No

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Engineers • Economists • Planners

Telephone: (804) 674-1864
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May 19, 1994

United States Nuclear Regulatory Commission
Region II, Regional Administrator
101 Marietta Street, Suite 2900
Atlanta, GA 30323-0199

ATTENTION: Regional Administrator

RE: REPLY TO A NOTICE OF VIOLATION

This letter is in response to a Notice Of Violation dated May 5, 1994 following an inspection of our field office on April 7, 1994. Based on the results of this inspection, two of our activities were in violation of NRC requirements, as specified in the attached Notice Of Violation (Notice).

Subsequent to that inspection Louis Berger and Associates, Inc. has taken the following action:

1) Requested an amendment to our license (letter attached) to reflect:

A) Change in address to our Southeast Regional Office.
Louis Berger & Associates, Inc.
7637 Hull Street Road, Suite 100
Richmond, VA 23235
Attention: John Epperly
Phone: (804) 674-1864

B) Condition 10 revised to read:
Licensed material may be stored at 7637 Hull Street Road, Richmond, VA and at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.

C) Condition 11 revised to read:
Revised the Radiation Protection Officer from Nabil Bejjani to John Epperly (Certificate attached).

D) Condition 12 revised by:
Revised Nabil Bejjani to John Epperly

2) Mr. John Epperly has been designated as the Radiation Safety Officer. He is the Design Manager for the Southeast Region and is permanently assigned to our Richmond office. He is currently active in our construction management projects and will be assuming the duties of the Radiation Safety Officer.

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- 3) All files and correspondence have been relocated and will be maintained in our Richmond Office.
- 4) The Radiation Safety Program has been revised to reflect Mr. Epperly as the Radiation Safety Officer and was redistributed to the project personnel.

In response to the individual violations, we offer the following explanation and corrective steps:

A.

- 1) Louis Berger and Associates, Inc. were under the opinion that since the gauges were located at a temporary job site that we were covered under Condition 10 ".... and at temporary job sites of the license....".
- 2) The corrective steps taken were to request an amendment to our license to revise Condition 10 to read:
"Licensed material may be stored at 7637 Hull Street Road, Richmond, Va. and at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material."
As of this date, we have no confirmation of the pending amendment.
- 3) By designating our Southeast Regional Office address, we anticipate no reoccurrence of this violation.
- 4) Full compliance will be achieved upon approval of the pending amendment.

B.

- 1) Mr. Nabil Bejjani was designated as the Radiation Safety Officer on the license and had been temporarily reassigned to another office.
- 2) The corrective steps taken was to designate Mr. John Epperly to replace Mr. Bejjani as Radiation Safety Officer. Mr. Epperly is a permanent employee in our Southeast Regional Office, currently active in our construction management projects.
- 3) With Mr. Epperly's permanent position in our Southeast Regional Office and with no anticipated reassignments, we do not anticipate any additional problems.
- 4) Mr. Epperly has already assumed responsibility and action will be complete upon approval of the pending amendment to the license.



Louis Berger and Associates understands the seriousness of the situation and will make a dedicated commitment to ensure that no further problems or violations will occur. Should it be necessary, please do not hesitate to contact me at (804) 674-1864.

Sincerely,

John E. Epperly
Design Manager
Southeast Region
Louis Berger and Associates, Inc.