

February 17, 1995

CAL No. 1-95-003

Docket No. 15000031  
New York License No. 2514-3645

Mr. John E. Sisson  
President  
Quality Inspection Services, Inc.  
186 Warwick Avenue  
P.O. Box 732  
Buffalo, NY 14215-0732

SUBJECT: CONFIRMATORY ACTION LETTER

Dear Mr. Sisson:

During an NRC inspection at field sites located in Allegheny National Forest and Warren, Pennsylvania, potential safety and regulatory concerns were identified. These concerns involved the use of byproduct material at temporary job sites in NRC jurisdiction without applying for a general license as required by 10 CFR 150.20(b). Of particular concern is the length of time in which you worked in NRC jurisdiction without filing a NRC Form 241 to obtain a general license as per 10 CFR 150.20(b). The NRC is considering this matter for appropriate enforcement action.

Pursuant to your correspondence dated February 6, 1995 and a conversation between you and Susan Shankman, Deputy Director, Division of Radiation Safety and Safeguards of this office, on February 16, 1995, it is our understanding that you will not perform any activities authorized by your New York State byproduct material license where NRC maintains jurisdiction for regulating the use of licensed material until the NRC approves such activities in writing. Furthermore, it is our understanding that you have removed all licensed material from the Commonwealth of Pennsylvania on February 4, 1995 and returned it your offices in Buffalo, New York.

Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to:

1. Notify me immediately if your understanding differs from that set forth above; and
2. Notify me in writing when you have completed all of the actions addressed in this Confirmatory Action Letter.

Issuance of this Confirmatory Action Letter does not preclude issuance of an order formalizing the above commitments or requiring other actions on the part of the licensee; nor does it preclude the NRC from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter. In addition, failure to take the actions addressed in this Confirmatory Action Letter may result in enforcement action.

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John E. Sisson  
Quality Inspection Services, Inc.

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With regard to your application for an NRC license received by this office on November 18, 1994, the NRC will not take any further action until the issues noted above are resolved.

The responses directed by this letter are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and your response will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR 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.

Sincerely,

ORIGINAL SIGNED BY:

Charles W. Hehl, Director  
Division of Radiation Safety  
and Safeguards

Docket No. 15000031  
New York License No. 2514-3645

cc:  
Commonwealth of Pennsylvania  
State of New York

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John E. Sisson  
Quality Inspection Services, Inc.

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