

JUL 11 1997

CAL No. 1-97-020

Donald Meisel
Senior Vice President
Ambric Engineering, Inc.
3502 Scotts Lane
Philadelphia, PA 19129

SUBJECT: CONFIRMATORY ACTION LETTER

Dear Mr. Meisel:

On July 10, 1997, you notified the NRC of a lost sealed source believed to be located at a job-site at the Bally Meade Development in Claymont, Delaware. The source is approximately 6 millicuries of cesium-137 and was being used in a portable nuclear gauge. Initial radiation surveys did not locate the source. Pursuant to a meeting between Michael R. Smith and Sheri A. Arredondo of the NRC on July 10, 1997 at this site, and the subsequent telephone conversation between you and Francis M. Costello on July 11, 1997, it is our understanding that you have taken or will take the following actions (which will be completed by the dates specified):

1. Obtain a survey meter with a sodium iodide detector and perform a comprehensive survey including, (1) the area in which the gauging device was used, (2) the construction equipment that went through the area, (3) the gauge operator's truck, and (4) the gauge storage area. These surveys shall be completed by July 15, 1997. You will notify the NRC immediately if the source is located and upon completion of the survey.
 2. Cordon off the area and post "Caution Radiation Area" signs around the perimeter of the area. Keep construction personnel and construction equipment out of the area.
 3. In the event that the source is not found, make a proposal for future actions based upon your assessment of the most likely location of the source and radiation risk. Submit your proposed actions to the NRC in writing by July 21, 1997.
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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;

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- 2) Notify me if for any reason you cannot complete the actions within the specified schedule and advise me in writing of your modified schedule in advance of the change; and
- 3) Notify me in writing when you have completed 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.

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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Sincerely,

ORIGINAL SIGNED BY:

A. Randolph Blough, Director
Division of Nuclear Materials Safety

Docket No. 030-22164
License No. 37-20968-01

cc:
State of Delaware

D. Meisel
Ambric Engineering, Inc.

-3-

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