

January 13, 1999

Docket No. 030-33919

License No. 06-30240-01

Chin Okwuka
President
Test-Con Incorporated
P.O. Box 3116
Danbury, CT 06813-3116

SUBJECT: INSPECTION NO. 030-33919/98-001

Dear Mr. Okwuka:

This letter refers to your November 15, 1998 correspondence, in response to our October 27, 1998 letter. Thank you for informing us of the corrective and preventive actions documented in your letter. These actions will be examined during a future inspection of your licensed program.

Your cooperation with us is appreciated.

Sincerely,

Original signed by Pamela J. Henderson

Pamela J. Henderson, Acting Chief
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety

cc:
State of Connecticut

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C. Okwuka
Test-Con Incorporated

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Construction Material Testing & Inspection - Environmental Consulting Services

Date: 11/15/98

United States Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D. C. 20555

**Subject: REPLY TO A NOTICE OF VIOLATION
INSPECTION NO. 030-33919/98-001**

Dear Sir,

In reference to the notice of violation dated October 27, 1998, the following is our explanations to the information requested.

1. The reason for the violation: The individual who used the portable gauge from march 1996 to January 1997 told the radiation safety officer (RSO) for Test-Con Inc. that he took the required training course provided by his previous employer. Test-Con RSO did not know that the individual had not received the necessary training because he claimed to have successfully completed the user's course as required by the Nuclear Regulatory Commission.

Radiation safety course was arranged by Test-Con RSO (provided by Q.C Resources) in our laboratory at the time the individual was still employed with Test-Con Inc. The individual did not attend the course because he supposedly took the course with his former employer.

2. The corrective steps taken and results achieved: Test-Con technicians, including non-soil inspectors have completed training in the fundamentals of safety and gauge operation, for the use of nuclear moisture/density equipment as required by Nuclear Regulatory Commission. This has resulted in improved awareness for radiation safety.

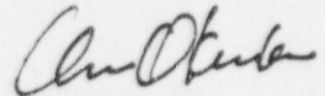
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3. The corrective steps that have been taken to have avoid further violations: Claims by new employees regarding nuclear gauge training with their previous employers must be verified. All new soil technicians are required to take the radiation safety course as required by the NRC regardless of their prior training with former employer or any company.
4. The date when full compliance will be achieved: Full compliance has been achieved as of October 30th, 1998.

Respectfully,



Chin Okwuka
RSO