



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BLVD.  
KING OF PRUSSIA, PA 19406-2713

November 19, 2020

Douglas Smith, President  
Soil Consultants, Inc.  
9303 Center Street (3rd Floor)  
Manassas, VA 20110

**SUBJECT: SOIL CONSULTANTS, INC. - NRC INSPECTION NO. 030-33635/2020001 AND  
NOTICE OF VIOLATION**

Dear Mr. Smith:

This letter refers to the inspection conducted from August 25, 2020 through November 12, 2020, both virtually and at your Manassas, VA facility. This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. The inspection exit meeting was held by telephone with Jonathan Pfingsten of my staff and Jessica Hinton of your organization on November 12, 2020.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. These violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations are cited in the enclosed Notice of Violation (Notice) because the violations were identified by the NRC.

The NRC has concluded that information regarding: (1) the reason for the violations; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance will be achieved is already adequately addressed on the docket and include: the licensee performed the required inventory on April 27, 2019, generated a recurring calendar reminder to track inventory timeliness, and submitted a notification and license amendment request on September 4, 2020, associated with the December 2018 change of control and name change. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions regarding this matter, please contact Jonathan Pfingsten of my staff at 610-337-5170 or via electronic mail at [Jonathan.Pfingsten@nrc.gov](mailto:Jonathan.Pfingsten@nrc.gov).

Thank you for your cooperation.

Sincerely,

Christopher Cahill, Chief  
Commercial, Industrial, R&D  
and Academic Branch  
Division of Nuclear Materials Safety  
Region I

Docket No. 030-33635  
License No. 45-15200-04

Enclosure:  
Notice of Violation

cc w/Encl: Jessica Hinton, Radiation Safety Officer  
Commonwealth of Virginia

SOIL CONSULTANTS, INC. - NRC INSPECTION NO. 030-33635/2020001 AND NOTICE OF VIOLATION DATED NOVEMBER 19 2020.

DOCUMENT NAME: \\nrc.gov\nrc\RI\Office\DNMS\WBL Documents\WBL Inspection Cover Letter\L45-15200-04.2020001.NOV.docx

<input checked="" type="checkbox"/> SUNSI Review		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
OFFICE	RI:DNMS	RI:DNMS			
NAME	JPfingsten (JBP)	CCahill (CGC)			
DATE	11/18/2020	11/19/2020			

OFFICIAL RECORD COPY

## **NOTICE OF VIOLATION**

Soil Consultants, Inc.  
Manassas, VA

Docket No. 030-33635  
License No. 45-15200-04

During an NRC inspection conducted from August 25, 2020 through November 13, 2020, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. Condition 15 of NRC License 45-15200-04 requires, in part, that the licensee shall conduct a physical inventory every six months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license.

Contrary to the above, from March 10, 2016 through April 27, 2019, the licensee did not conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license. Specifically, the licensee performed the required inventory on September 10, 2015, but failed to perform the required inventories beginning six months thereafter, March 10, 2016, until the licensee performed the required inventory on April 27, 2019.

As corrective action, the licensee performed the required inventory and generated a recurring 6 month calendar notification to perform the required inventory.

This is a Severity Level IV violation (Enforcement Policy Section 6.3.d).

- B. 10 CFR 30.34(b) states, in part, that no license issued or granted nor any right under a license shall be transferred through transfer of control of any license to any person, unless the commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.

Contrary to the above, as of December 31, 2018, NRC License No. 45-15200-04 was transferred through transfer of control to Soil Consultants Engineering, LLC before the commission had, after securing full information, found that the transfer was in accordance with the provisions of the Act and had given its consent in writing. Specifically, the licensee transferred control of the license to Soil Consultants Engineering, LLC without submitting to the NRC the necessary notification and supplemental information concerning the transfer for evaluation and approval.

As corrective action, the licensee submitted a license notification and amendment request on September 4, 2020, informing the NRC of the change of control and name change of the licensee. These requests are being processed under mail control number 622475; the results of this review will be issued under separate cover.

This is a Severity Level IV violation (Enforcement Policy Section 6.3.d).

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the

description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available 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.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 20 day of November 2020