



TILCON NEW YORK INC.

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June 22, 2005

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

Subject: Reply to a Notice of Violation
Docket No. 03020029
Inspection 03020029/20055001, Tilcon New Jersey, Wharton, NJ site, Little
Ferry, NJ, Totowa, NJ, Riverdale, NJ, and Notice of Violation

Dear Sir or Madam:

This letter is in response to a letter from the U.S. Regulatory Commission Region 1 Office dated May 31, 2005. Upon inspection of the above-mentioned Tilcon New Jersey locations on May 12, 2005, by NRC inspector, Jenny Johansen, Tilcon was found to be in violation of condition 11.B of License No. 29-20646-01. Below are the corrective actions that have been taken and the corrective steps that will be taken to avoid further violations and the date when full compliance will be achieved.

Tilcon's Radiation Safety Officer, William Rodriguez, officially terminated his employment with Tilcon on July 6, 2004. From July 6, 2004 through the remainder of the 2004-paving season, the nuclear density gauges were permanently and safely stored at our Totowa location. The gauges have not been used at any time in 2005.

Tilcon plans to terminate its licensed program and transfer its nuclear gauges to Advance Testing, Campbell Hall, NY 10916. Tilcon has recently performed leak testing on both gauges and sent the samples to Instrotek, Inc., Raleigh, NC 27617 for analysis. Tilcon is in the process of completing the NRC form 314 and will include with it, a copy of the transferee's NRC license, Tilcon's current license, and the leak test results. All documentation will be submitted and the transfer of both nuclear gauges will be completed no later than July 31, 2005.

Thank you for assistance and cooperation in this matter.

Sincerely,


Scott Laudone
Quality Control Manager



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cc: John D. Kinneman, Chief
Security and Industrial Branch
Division of Nuclear Materials Safety