

April 9, 1998  
DOCKETED  
USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'98 APR -9 P4:22

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

POWER INSPECTION, INC. )

(Order Imposing Civil Monetary Penalty) )

OFFICE OF SECRETARY  
RULEMAKING AND  
ADJUDICATIONS STAFF

Docket No. 30-20644-CivP

ASLBP No. 98-737-02-CivP

NUCLEAR REGULATORY COMMISSION STAFF'S  
RESPONSE TO ANSWER TO NOTICE  
OF VIOLATION FILED BY POWER INSPECTION, INC.

INTRODUCTION

On March 2, 1998, Paul E. Chambers filed a Request for Hearing in response to an Order Imposing Civil and Monetary Penalties issued against Power Inspection, Inc. On March 20, 1998, the Atomic Safety and Licensing Board Panel (Board) issued a Memorandum and Order (Scheduling), which, *inter alia*, granted Mr. Chambers an opportunity to amend his answer and gave the NRC Staff (Staff) fifteen days to respond to the amended answer.

On March 30, 1998, Mr. Chambers filed an Answer to the Notice of Violation (Answer). The Answer did not contest the regulatory and license violations cited in the Staff Order or supporting documents. The Answer requested that the Board dismiss the violations as they applied to Mr. Chambers.

The Staff hereby responds to the Answer to the Notice of Violation.

DISCUSSION

The Staff issued an order against Power Inspection, Inc., holder of NRC Materials License No. 37-21428-01. Mr. Chambers has stated in his Answer that he "requests that the

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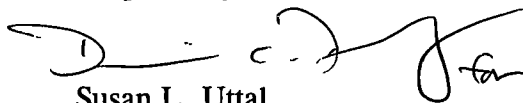
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Atomic Safety and Licensing Board Panel dismiss the violations as they apply to Paul E. Chambers."

The enforcement action taken is against the corporate licensee, Power Inspection, Inc. Any penalties arising from the Order would, therefore, be assessed against the corporation. Moreover, since the regulatory and license violations are not being contested, and the Staff is not seeking to hold Mr. Chambers personally responsible for the penalties, it is respectfully suggested that the case be dismissed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Susan L. Uttal', is written over the typed name.

Susan L. Uttal  
Counsel for the NRC Staff

Dated at Rockville, Maryland  
this 9th day of April 1998

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

In the Matter of	)	
	)	
POWER INSPECTION, INC	)	Docket No. 30-20644-CivP
	)	
(Order Imposing Civil Monetary Penalty)	)	ASLBP No. 98-737-02-CivP
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "NUCLEAR REGULATORY COMMISSION STAFF'S RESPONSE TO ANSWER TO NOTICE OF VIOLATION FILED BY POWER INSPECTION, INC." in the above-captioned proceeding have been served on the following by deposit into the United States mail, or through deposit in the Nuclear Regulatory Commission's internal mail system as indicated with an asterisk, or with a double asterisk by hand delivery on this 9th day of April 1998:

Administrative Judge\*  
Peter B. Bloch, Chairman  
Atomic Safety and Licensing Board  
Mail Stop: T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Administrative Judge\*  
Richard F. Cole  
Atomic Safety and Licensing Board  
Mail Stop: T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Administrative Judge\*  
Frederick J. Shon  
Atomic Safety and Licensing Board  
Mail Stop: T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Paul E. Chambers  
Power Inspection, Inc.  
c/o PEC Contracting Engineers  
P. O. Box 7872  
Pittsburgh, Pennsylvania 15215

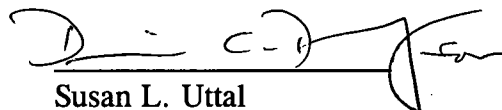
Krishna Kumar  
Power Inspection, Inc.  
c/o William F. Manifesto, Esq.  
1550 Koppers Building  
Pittsburgh Pennsylvania 15219

Office of Commission Appellate  
Adjudication\*\*  
Mail Stop: O-16 G15  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Adjudicatory File (2)\*  
Atomic Safety and Licensing Board  
Mail Stop: T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Office of the Secretary (2)\*\*  
ATTN: Rulemaking and  
Adjudications Staff  
Mail Stop: O-16 G15  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety and Licensing Board  
Panel\*  
Mail Stop: T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

A handwritten signature in black ink, appearing to read "Susan L. Uttal", written over a horizontal line.

Susan L. Uttal  
Counsel for NRC Staff