

OCT 31 1996

Docket No. 030-17162

License No. 06-19223-01

Mr. John J. Lawrence
President
John J. Lawrence & Associates, Inc.
486 Prospect Avenue
Hartford, CT 06105

SUBJECT: INSPECTION NO. 030-17162/96-001

Dear Mr. Lawrence:

On October 23 and 24, 1996, Mr. Steven R. Courtemanche of this office conducted a safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with you, at the conclusion of the inspection. This also refers to the telephone conversation on October 28, 1996 between you and Mr. Courtemanche.

It is our understanding from the October 28, 1996 telephone conversation between you and Mr. Courtemanche that:

- 1) the employee that uses the Troxler portable moisture density gauge has not received the manufacturer's training course but that you were at the temporary jobsites supervising your employee's use of the gauge,
- 2) the employee does possess a Certified Drivers License with a hazardous materials endorsement,
- 3) the employee transported the Troxler gauge over public highways unaccompanied and without having received the training required by 49 CFR 172.702, Subpart H, and
- 4) the employee shall receive training in 49 CFR 172.702(a) prior to using the Troxler gauge without supervision, and
- 5) the employee shall receive training in Subpart H prior to transporting the Troxler gauge over public highways.

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Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

Please use the enclosed self-addressed green envelope when you respond to this letter to assist us in the timely processing of your response. In accordance with Section 2.790 of NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the 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. 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. The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Your cooperation with us is appreciated.

Sincerely,

Francis M. Costello, Chief
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

Docket No.: 030-17162
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Enclosure:
Notice of Violation

cc w/enclosure:
State of Connecticut

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J. Lawrence
John J. Lawrence & Associates, Inc.

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Nuclear Safety Information Center (NSIC)

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OFFICE	DNMS/RI	N	DNMS/RI				
NAME	SCourtemanche		FCostello				
DATE	10/28/96		10/3/96		10/ /96		10/ /96

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