

## NOTICE OF VIOLATION

Earth Tech, Inc.  
Charlottesville, Virginia

Docket No. 030-33014  
License No. 45-25228-01

During an NRC inspection conducted December 17-18, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 30.34(b) states that no license issued or granted pursuant to the regulations in this part, Parts 31 through 36, and 39, nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, 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 Atomic Energy Act and shall give its consent in writing.

Contrary to this requirement, on October 7, 1993, ownership of Applied Technology and Engineering (ATE), holder of NRC license no. 45-25228-01, was transferred to HMM Associates, Inc., a wholly owned subsidiary of Summit Environmental Group, Inc., without the consent of the NRC. Subsequently, on May 23, 1995, ownership of Summit Environmental Group was transferred to Earth Technology Corporation (USA), again without the consent of the NRC.

This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Earth Tech, Inc. is hereby required to submit a written statement or explanation to the Regional Administrator, Region II, with a copy to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or demand for information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Atlanta, Georgia  
This 16th day of January, 1997

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Enclosure