

April 15, 1997

DCD

Gary Niblock, President  
Niblock Excavating, Inc.  
906 Maple Street  
P.O. Box 211  
Bristol, IN 46507

SUBJECT: REVIEW OF CONTESTED NOTICE OF VIOLATION DATED FEBRUARY 7, 1997

Dear Mr. Niblock:

This acknowledges receipt of your letter dated March 7, 1997, in response to our letter dated February 7, 1997, transmitting a Notice of Violation (Notice). Your letter disputes the violation cited in the subject Notice.

This matter was independently reviewed by Mr. Wayne Slawinski of my staff. Based on our review of the information provided in your letter and additional clarifying information obtained during a telephone conversation between Mr. Slawinski and Kevin Crouch of your staff, we have concluded that the disputed violation will be withdrawn.

The violation was cited because you failed to maintain a training certificate for an individual our inspector was led to believe was designated by your company as an authorized gauge user.

Subsequent to the inspection and as described in your letter dated March 7, 1997, we learned that although the individual was listed as a device user, because he had completed your in-house radiation safety training, you had no intention of allowing the individual to operate the devices until the proper training and related documents were obtained.

We appreciate your comments and will gladly discuss any further questions you may have.

Sincerely,

Original Signed by

Roy J. Caniano, Acting Director  
Division of Nuclear Materials Safety

180011

License No. 13-26181-01  
Docket No. 030-31686

bcc w/ltr dated 3/7/97: T. Simmons, EICS  
PUBLIC

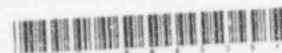
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OFFICE	RIII	RIII	RIII	RIII	RIII
NAME	WSlawinski:dp	RGattone	JMade	HClayton	RCaniano
DATE	04/ /97	04/ /97	04/ /97	04/ /97	04/ /97

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NAME	WSlawinski:dp		RGattone	06	JMadera	San	HClayton	BC	RCaniano	
DATE	04/ /97		04/14/97		04/ /97		04/14/97		04/15/97	

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