

May 15, 1997
EN 97-036

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Capital Engineering Services (EA 97-202)
David F. Johns, P.E. (IA 97-026)
Dover, Delaware
Docket No. 030-33244

Subject: ORDER REVOKING LICENSE
ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES
(EFFECTIVE IMMEDIATELY)

This is to inform the Commission that an Order Revoking License and an Order Prohibiting Involvement in NRC-Licensed Activities (Effective Immediately) will be issued on or about May 15, 1997, to Capital Engineering Services (CES) and to Mr. David Johns, respectively. The actions are based on inspection and investigation which concluded that: (1) Mr. Johns, an unlicensed individual who is the president of CES, deliberately violated the conditions of an order suspending CES' license by continuing to use moisture density gauges on numerous occasions; and (2) the licensee failed to test sealed sources for leakage and/or contamination.

The prohibition order is being issued because, given the egregiousness of the deliberate misconduct, the staff no longer has reasonable assurance that Mr. Johns would perform licensed activities safely and in accordance with NRC requirements, should he engage in licensed activities under any NRC license. The prohibition order: (1) removes Mr. Johns from involvement in licensed activities for a period of 3 years; (2) requires Mr. Johns, for a period of three years, to provide a copy of this order to any prospective employer who engages in licensed activities prior to his acceptance of employment involving non-licensed activities with such prospective employer; and (3) for a period of three years following the three-year prohibition, the first time Mr. Johns is employed in licensed activities, Mr. Johns is required to notify the NRC of his first employment in NRC-licensed activities.

It should be noted that the licensee and individual have not been specifically informed of the enforcement actions. The schedule of issuance and notification is:

Mailing of Notice	May 15, 1997
Telephone Notification of Licensee	May 15, 1997

The State of Delaware will be notified.

Contacts: N. Mamish, OE, 415-2740 J. Lieberman, OE, 415-2741

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PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

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PDR I&E
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