



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

September 30, 2021

EA-20-002

Jim Wright, Director of Safety and Health
Terracon Consultants, Inc.
10841 South Ridgeview Road
Olathe, Kansas 66061

SUBJECT: TERRACON CONSULTANTS, INC. - NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF \$45,000 IN CIVIL PENALTIES, NRC INSPECTION REPORT 030-32176/2019-005, AND INVESTIGATION REPORT 4-2020-023

Dear Mr. Wright:

This letter refers to the announced reactive U.S. Nuclear Regulatory Commission (NRC) inspection conducted on December 18, 2019, at your facility in Rocky Hill, Connecticut. The inspection was performed in response to Event Notification No. 54411, which documented that a portable nuclear gauge had been lost and recovered following the performance of licensed activities on November 25, 2019, in Killingly, Connecticut. A final exit briefing was conducted telephonically with you and Mr. Adam Maier, Corporate Radiation Safety Officer, on March 5, 2020. Details of the NRC inspection and five associated apparent violations identified during the inspection were provided to you in the subject inspection report, dated April 1, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20093A783).

In addition, this letter refers to the investigation initiated on June 26, 2020, and completed on June 22, 2021, by the NRC's Office of Investigations. Specifically, as a result of information you provided to the NRC during a predecisional enforcement videoconference on May 20, 2020, the investigation was conducted, in part, to determine whether a technician working in Connecticut and formerly employed by Terracon Consultants, Inc. (licensee) willfully failed to follow licensee procedures and NRC requirements to secure a portable nuclear gauge. The results of the investigation are documented in Enclosure 1, "Factual Summary."

Based on the information developed during the inspection, the information you provided during the conference, and the information developed during the investigation, the NRC has determined that five violations of NRC requirements occurred. These violations are cited in Enclosure 2, "Notice of Violation and Proposed Imposition of Civil Penalties" (Notice), and the circumstances surrounding them are described in detail in the subject inspection report. The violations involved the failure to: (A) control and maintain constant surveillance of licensed material in an unrestricted area that was not secured with two independent physical controls; (B) block and brace licensed material from movement incident to normal transportation; (C) follow your established operating and emergency procedures that require the gauge be placed in a U.S. Department of Transportation Type A container when being transported on public highways; (D) lock the gauge's handle of the source rod or place the gauge inside of a locked container to prevent unauthorized or accidental removal of the source rod from its

shielded position; and (E) provide a notification to the NRC immediately after the discovery of any lost or missing licensed material in an aggregate quantity equal to or greater than 1,000 times the quantity specified in Appendix C of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20.

Based on local law enforcement video evidence, the source rod of the portable nuclear gauge likely remained in the shielded position while in the public domain. In addition, when the gauge was recovered by your personnel it was undamaged (i.e., not leaking and the shielding intact). Therefore, no significant radiation exposures were identified.

However, the NRC considers Violations A, B, and C to be significant violations because of the loss of a portable nuclear gauge that entered the public domain with a substantial potential to cause radiation exposure in excess of NRC regulatory limits to members of the public. Therefore, these violations are categorized collectively in accordance with the NRC Enforcement Policy as a Severity Level III problem. The NRC Enforcement Policy can be found on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

In addition, the NRC considers Violation D to be a significant violation because a portable nuclear gauge was left uncontrolled in the public domain and the gauge was not locked nor in a locked container to prevent unauthorized or accidental removal of the sealed source from its shielded position. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III.

The NRC considers Violation E above to be of low safety significance and thus it has been categorized in accordance with the NRC Enforcement Policy as Severity Level IV. In accordance with NRC Enforcement Policy Section 6.9.c.2.a, the failure to make an immediate notification to the NRC would normally be categorized at Severity Level III. However, the NRC determined that this violation is more appropriately categorized at Severity Level IV since you made the notification to the NRC approximately 7 hours after your employee became aware the portable nuclear gauge was missing.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$15,000 is considered for the Severity Level III problem (Violations A, B and C). Separately, a base civil penalty in the amount of \$15,000 is considered for the Severity Level III violation (Violation D).

Because your facility has been the subject of escalated enforcement action within the last 2 years (refer to letter dated December 20, 2018, ADAMS Accession No. ML18354A803, for the failure to secure a portable gauge on June 28, 2018), the NRC considered whether credit was warranted for *Identification* and *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the NRC Enforcement Policy.

The NRC determined that *Identification* credit is not warranted for the Severity Level III problem (Violations A, B, and C) because it was self-revealing during an event. The NRC determined that *Corrective Action* credit is warranted for the Severity Level III problem based on the corrective actions documented in our April 1, 2020, inspection report; our June 9, 2020, predecisional enforcement conference summary, ADAMS Accession No. ML20161A013; and your June 11, 2020, supplemental information letter, ADAMS Accession No. ML21245A260, (not publicly available). Therefore, to emphasize the importance of controlling licensed materials, I have been authorized, after consultation with the Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties in the base

amount of \$15,000 for the Severity Level III problem. The issuance of this Notice constitutes escalated enforcement action that may subject you to increased inspection effort.

With respect to Violation D, the NRC determined that *Identification* credit is not warranted because it was identified by the NRC staff during the reactive inspection. Further, the NRC determined that *Corrective Action* credit is not warranted for Violation D. When assessing *Corrective Action* credit, the NRC evaluates both the promptness and the comprehensiveness of a licensee's corrective actions. In the case of Violation D, while you promptly searched for and eventually recovered the missing portable gauge, the NRC determined that it was not locked to prevent unauthorized or accidental removal of the sealed source from its shielded position. Further, your comprehensive corrective actions following this incident focused on the Severity Level III problem violations and not Violation D. Given the significance of the violation, the NRC does not have assurance that your corrective actions will either prevent recurrence of Violation D or prevent occurrence of violations with similar root causes.

Therefore, to emphasize the importance of the need to control licensed materials and to promptly identify and correct violations, I have also been authorized, after consultation with the Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties for twice the base amount (i.e., \$30,000) for Severity Level III Violation D. As in the case for the Severity Level III problem, the issuance of this Notice constitutes escalated enforcement action that may subject you to increased inspection effort.

The NRC recognizes that many of its licensees have been adversely impacted financially by the public health emergency caused by the Coronavirus Disease 2019 (COVID-19). Consequently, as described in the enclosed Notice, the NRC is extending by 30 days the period of time by which the civil penalties must be paid (i.e., extending the deadline from 30 days to 60 days from the date of this Notice), and the NRC would consider a request for additional time, if appropriate. Please refer to the enclosed Notice for further instructions.

If you disagree with this enforcement sanction, you may deny the violation(s), as described in the Notice, or you may request alternative dispute resolution (ADR) mediation with the NRC to resolve this issue. Alternative dispute resolution is a general term encompassing various techniques for resolving conflicts using a neutral third party. The technique that the NRC has decided to employ is mediation. Mediation is a voluntary, informal process in which a neutral mediator works with parties to help them reach resolution. If the parties agree to use ADR, they select a mutually agreeable neutral mediator who has no stake in the outcome and no power to make decisions. Mediation gives parties an opportunity to discuss issues, clear up misunderstandings, be creative, find areas of agreement, and reach a final resolution of the issues. Additional information concerning the NRC's ADR program can be found at <http://www.nrc.gov/about-nrc/regulatory/enforcement/adr.html>.

The Institute on Conflict Resolution at Cornell University has agreed to facilitate the NRC ADR program as a neutral third party. If you are interested in pursuing this issue through the ADR program, please contact: (1) the Institute on Conflict Resolution at 877-733-9415; and (2) Dr. Lizette Roldán-Otero at 817-200-1455 within 10 days of the date of this letter. Your submitted signed agreement to mediate using the NRC ADR program will stay the 60-day time period for payment of the civil penalties, as identified in the enclosed Notice, until the ADR process is completed.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you

believe the NRC should consider, you should provide it in your response to the Notice. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter, the enclosures, and your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction. The NRC also includes significant enforcement actions on its website at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

If you have any questions concerning this matter, please contact Dr. Lizette Roldán-Otero of my staff, at 817-200-1455.

Sincerely,



Signed by Morris, Scott
on 09/30/21

Scott A. Morris
Regional Administrator

Docket No. 030-32176
License No. 15-27070-01

Enclosures:

1. Factual Summary
2. Notice of Violation and Proposed Imposition of Civil Penalties

cc w/Enclosures:

Kimberly S. Steves, Radiation Section Chief
State of Kansas Radiation Program

Jeffrey D. Semancik, Director
State of Connecticut Radiation Program

TERRACON CONSULTANTS, INC. - NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF \$45,000 IN CIVIL PENALTIES, NRC INSPECTION REPORT 030-32176/2019-005, AND INVESTIGATION REPORT 4-2020-023 - DATED SEPTEMBER 30, 2021

DISTRIBUTION:

RidsOeMailCenter Resource;
 RidsSecyMailCenter Resource;
 RidsEdoMailCenter Resource;
 RidsOiMailCenter Resource;
 SMorris, ORA
 JMonninger, ORA
 MMuessle, DNMS
 LHowell, DNMS
 PJayroe, ORA
 JGroom, ORA
 LWilkins, CA
 RSun, NMSS
 LSreenivas, OE
 DDodson, DRS

RidsNmssOd Resource;
 RidsOcaMailCenter Resource;
 EDO_Managers;
 RidsRgn1MailCenter Resource;
 MMadison, DRMA
 DCylkowski, ORA
 BMaier, ORA
 JKramer, ORA
 RWilliams, OEDO
 VDricks, ORA
 LRoldan-Otero, DNMS
 ARoberts, ORA
 RErickson, DNMS

RidsOgcMailCenter Resource;
 RidsOigMailCenter Resource;
 RidsOcfoMailCenter Resource;
 RidsRgn3MailCenter Resource;
 R4Enforcement
 MLombard, OE
 TMartinez-Navedo, OE
 JPeralta, OE
 RCarpenter, OGC
 AMoreno, CA
 R4DNMS_MIB
 MBurgess, NMSS
 JCook, DNMS

[https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES S Drive/ENFORCEMENT/_EA CASES - OPEN/Terracon EA-20-002 lost gauge/Final action/NOVCP_EA-20-002_Terracon_gauge.docx](https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES%20S%20Drive/ENFORCEMENT/_EA%20CASES%20-%20OPEN/Terracon%20EA-20-002%20lost%20gauge/Final%20action/NOVCP_EA-20-002_Terracon_gauge.docx)

ADAMS ACCESSION NUMBER: ML21273A376

SUNSI Review: ADAMS: Non-Publicly Available Non-Sensitive Keyword:
 By: JGK Yes No Publicly Available Sensitive

OFFICE	SES:ACES	TL:ACES	C:MIB	RC	OE	OGC
NAME	JKramer	DDodson	LRoldan-Otero	DCylkowski	JPeralta	RCarpenter
SIGNATURE	/RA/ E	/RA/ E	/RA/ E	/RA/ E	/RA/ E	/NLO/ E
DATE	09/09/21	09/15/21	9/13/21	09/14/21	09/22/21	09/23/21
OFFICE	D:DNMS	RA				
NAME	MMuessle	SMorris				
SIGNATURE	/RA/ E	/RA/ E				
DATE	09/28/21	09/30/21				

OFFICIAL RECORD COPY

FACTUAL SUMMARY
OFFICE OF INVESTIGATIONS REPORT 4-2020-023

On June 26, 2020, the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) Region IV, initiated an investigation to determine whether an engineering technician, formerly employed by Terracon Consultants, Inc. (licensee), willfully failed to follow licensee procedures and NRC requirements and failed to secure a portable nuclear gauge (gauge) during transportation on a public highway. The investigation was completed on June 22, 2021.

On November 25, 2019, at a temporary job site in Killingly, Connecticut, a technician placed a gauge in the bed of a licensee truck and failed to secure the gauge. The technician drove away from the jobsite resulting in the loss of the gauge in the public domain.

The technician then attempted to locate the missing gauge. After about 1 hour of searching for the gauge, the technician notified the licensee's radiation safety officer about the lost gauge, at which time the technician deliberately lied about the distance driven away from the jobsite before realizing the gauge was lost. During an interview with the OI Special Agent, the technician acknowledged having been dishonest with licensee representatives and told them the truth only after realizing that the company would eventually examine the global positioning system data for the truck.

In addition, OI obtained testimony that at the time of the incident, the technician was aware of the regulatory requirements with respect to securing portable gauges and knew that leaving the gauge unattended was contrary to licensee procedure or policy. Specifically, the technician stated, "I knew exactly what I needed to do and had to do. That particular day was nothing but my error." The technician also testified as to having been coached on March 20, 2019, not to transport gauges without locking them in the case because on a previous occasion the technician had driven a short distance on the jobsite without securing a gauge properly.

Based on the evidence developed during the investigation, the technician deliberately provided the licensee with incomplete and inaccurate information regarding when the technician realized that the gauge had been lost. In addition, the technician deliberately failed to follow NRC requirements to secure a gauge. This caused the licensee to be in violation of 10 CFR 30.34(i).

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTIES

Terracon Consultants, Inc.
Olathe, Kansas

Docket No.: 030-32176
License No.: 15-27070-01
EA-20-002

During an NRC inspection conducted on December 18, 2019, and an NRC investigation completed on June 22, 2021, five violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the NRC proposes to impose civil penalties pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The violations and associated civil penalties are set forth below:

I. Violations Assessed a Civil Penalty

- A. 10 CFR 20.1802 requires that the licensee shall control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.

10 CFR 30.34(i) requires, in part, that for each portable gauge, the licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

Contrary to the above, on November 25, 2019, the licensee failed to control and maintain constant surveillance of licensed material that was in a controlled or unrestricted area that was not in storage and failed to use a minimum of two independent physical controls that form tangible barriers to secure a portable gauge from unauthorized removal whenever the portable gauge was not under the control and constant surveillance of the licensee. Specifically, the licensee placed a portable gauge in the bed of a pickup truck with no barriers and without maintaining constant surveillance of the device when transporting the gauge from a temporary job site to a licensee facility.

- B. 10 CFR 71.5(a), requires, in part, that each licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, shall comply with the applicable requirements of the U.S. Department of Transportation (DOT) regulations in 49 CFR Parts 171 through 180, appropriate to the mode of transport.

49 CFR 173.448(a) requires, in part, that each shipment of Class 7 (radioactive) materials must be secured to prevent shifting during normal transportation conditions.

Contrary to the above, on November 25, 2019, for a shipment of Class 7 (radioactive) materials, the licensee failed to secure the shipment to prevent shifting during normal transportation conditions. Specifically, the licensee placed a portable nuclear gauge, Class 7 materials, unsecured in the bed of a pickup truck and began transporting it by public highway until, under conditions normally incident to transportation, the device fell off the vehicle and entered the public domain.

- C. License Condition 20 of NRC Materials License 15-27070-01, Amendment No. 51, requires, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, contained in the letter dated July 3, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13190A302, not publicly available).

In the letter dated July 3, 2013, Item 12, the licensee committed to following and applying the operating, emergency, and security procedures consistent with the criteria in the section titled, "Radiation Safety Program – Operating and Emergency Procedures," and the errata sheet to Appendix H of NUREG-1556, "Consolidated Guidance About Materials Licenses," Volume 1, Revision 1.

Licensee operating procedure JHA TER 010, "Nuclear Density Gauge Testing," Revision 0316, requires, in part, that the gauge be placed in a DOT Type A case at all times when not used and when transporting on public city streets and highways.

Contrary to the above, on November 25, 2019, the licensee failed to place a gauge in a DOT Type A case when transporting the gauge on public city streets and highways. Specifically, the licensee transported a portable gauge on a public highway and failed to secure the gauge within the DOT Type A container prior to transport.

This is a Severity Level III problem (NRC Enforcement Policy Section 6.3.c).
Civil Penalty - \$15,000 (EA-20-002)

- D. License Condition 17 of NRC Materials License 15-27070-01, Amendment No. 51, requires, in part, that each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.

Contrary to the above, on November 25, 2019, for a portable nuclear gauge, the licensee failed to have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position when in transport, storage, or when not under the direct surveillance of an authorized user. Specifically, the licensee transported and left a portable nuclear gauge uncontrolled in the public domain and the gauge was neither locked nor in a locked container to prevent unauthorized or accidental removal of the sealed source from its shielded position.

This is a Severity Level III violation (NRC Enforcement Policy Section 6.3.c).
Civil Penalty - \$30,000 (EA-20-002)

II. Violation Not Assessed a Civil Penalty

- E. 10 CFR 20.2201(a)(1)(i) requires, in part, that each licensee shall report by telephone immediately after its occurrence becomes known to the licensee, any lost or missing licensed material in an aggregate quantity equal to or greater than 1,000 times the quantity specified in 10 CFR Part 20, Appendix C, under such circumstances that it appears to the licensee that an exposure could result to persons in unrestricted areas.

10 CFR Part 20, Appendix C provides a value of 0.001 microcuries for americium-241 and 10 microcuries for cesium-137.

Contrary to the above, on November 25, 2019, the licensee failed to report by telephone immediately after its occurrence became known to the licensee, any lost or missing licensed material in an aggregate quantity equal to or greater than 1,000 times the quantity specified in 10 CFR Part 20, Appendix C, under such circumstances that it appears to the licensee that an exposure could result to persons in unrestricted areas. Specifically, at approximately 3:15 p.m. on November 25, 2019, the licensee identified that a portable nuclear gauge containing 40 millicuries of americium-241 and 10 millicuries of cesium-137 (greater than 1,000 times the quantities in 10 CFR Part 20, Appendix C) was lost or missing, and a report was not made to the NRC until 10:16 p.m. that same day. During that period, the licensee could neither demonstrate that the gauge was in a restricted area or that exposures were unlikely to occur to person(s) as a result of the missing material.

This is a Severity Level IV violation (NRC Enforcement Policy Section 6.9.d).

Pursuant to 10 CFR 2.201, Terracon Consultants, Inc. (licensee) is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 1600 East Lamar Blvd., Arlington, Texas 76011-4511, and emailed to R4Enforcement@nrc.gov within 30 days of the date of the letter transmitting this Notice of Violation and Proposed Imposition of Civil Penalties (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation; EA-20-002" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; 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, the NRC may issue an order or a demand for information requiring you to explain why your 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.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

You may pay the civil penalties proposed above or the cumulative amount of the civil penalties in accordance with NUREG/BR-0254, "Payment Methods," (ADAMS Accession No. ML19163A244), and by submitting to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, a statement indicating when and by what method payment was made, or you may protest the imposition of the civil penalties in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice. However, in recognition of the financial impact to licensees by the public health emergency caused by the Coronavirus Disease 2019 (COVID-19), the NRC is extending the period of time by which the civil penalties must be paid from 30 days to 60 days

from the date of this Notice. Should you fail to pay the civil penalties within 60 days of the date of this Notice, the NRC may issue an order imposing the civil penalties.

Should you elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation; EA-20-002" and may: (1) deny the violation(s) listed in this Notice, in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalties should not be imposed. In addition to protesting the civil penalties in whole or in part, such answer may request remission or mitigation of the penalties. Separately, you may request an additional extension of time to pay the civil penalties as a result of impacts from COVID-19. Such an extension request must be in writing, should explain the basis for the request, and should specify the amount of additional time being requested. This extension request must be submitted to the NRC no later than 50 days from the date of this Notice (i.e., at least 10 days before the initial 60-day deadline to pay the civil penalties).

In requesting mitigation of the proposed penalties, the response should address the factors addressed in Section 2.3.4 of the Enforcement Policy. Any written answer addressing these factors pursuant to 10 CFR 2.205 should be set forth separately from the statement or explanation provided pursuant to 10 CFR 2.201 but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the licensee is directed to the other provisions of 10 CFR 2.205 regarding the procedure for imposing civil penalties.

Upon failure to pay any civil penalties, which subsequently have been determined in accordance with the applicable provisions of 10 CFR 2.205 to be due, this matter may be referred to the Attorney General, and the penalties, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282c.

The responses noted above (i.e., Reply to Notice of Violation, Statement as to payment of civil penalties, and Answer to a Notice of Violation) should be addressed to: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, with a copy to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, and the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 1600 East Lamar Blvd., Arlington, Texas 76011-4511, and emailed to R4Enforcement@nrc.gov.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction.

If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request that such material is withheld from public disclosure, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with 10 CFR 19.11, you are required to post this Notice within 2 working days of receipt.

Dated this 30th day of September 2021