



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

January 25, 2022

EA-21-119

Ms. Heather Viele, Radiation Safety Officer
KRONUS, Inc.
170 South Seneca Springs Way
Suite 105
Star, ID 83669

SUBJECT: NOTICE OF VIOLATION, NRC INSPECTION REPORT 030-35244/2021-001

Dear Ms. Viele:

This letter refers to our announced inspection conducted remotely from April 22 to October 14, 2021 of the licensed activities performed at your facility in Star, Idaho. The purpose of the inspection was to examine activities conducted under your license as they relate to public health and safety and to confirm compliance with the U.S. Nuclear Regulatory Commission (NRC) rules and regulations and with the conditions of your license. A final exit briefing was conducted telephonically with you on October 20, 2021. Details of the inspection and one apparent violation were provided to you in the subject inspection report, dated November 5, 2021, Agencywide Documents Access and Management System (ADAMS) Accession No. [ML21305A108](#).

In the letter transmitting the inspection report, we provided you with the opportunity to address the apparent violations by either attending a predecisional enforcement conference or providing a written response before we made our final enforcement decision. In a letter dated November 22, 2021 (ADAMS Accession No. [ML21327A216](#)), you provided a written response to the apparent violation.

Based on the information developed during the inspection and the information you provided in your written response to the inspection report, the NRC has determined that a violation of NRC requirements occurred. This violation is cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding it are described in detail in the subject inspection report. The violation involved the failure to perform adequate surveys to evaluate potential radiological hazards at your facility.

The NRC considers this violation to be significant because of the substantial potential for exposures or releases in excess of regulatory limits. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. The Enforcement Policy can be found on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$8,000 is considered for a Severity Level III violation.

Because your facility has not been the subject of an escalated enforcement action within the last two routine inspections, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the NRC Enforcement Policy. The NRC has determined that *Corrective Action* credit is warranted based on the prompt and comprehensive corrective actions you implemented. Your corrective actions to address the violations are documented in your letter dated November 22, 2021, and in NRC Inspection Report 030-35244/2021-001.

Therefore, to encourage prompt and comprehensive correction of violations and in recognition of the absence of previous escalated enforcement action, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty. In addition, issuance of this Severity Level III violation constitutes escalated enforcement action that may subject you to increased inspection effort.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 030-35244/2021-001 and in your letter dated November 22, 2021. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter, the enclosure, and your response, if you choose to provide one, 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 01/25/22

Scott A. Morris
Regional Administrator

Docket No: 030-35244
License No: 11-27646-01

Enclosure:
Notice of Violation

cc w/ enclosure:

Mark Dietrich, PE, State Liaison Officer
Idaho Department of Environmental Quality
1410 N. Hilton St.
Boise, ID 83706

NOTICE OF VIOLATION, NRC INSPECTION REPORT 030-35244/2021-001 - DATED JANUARY 25, 2022

DISTRIBUTION:

RidsOeMailCenter Resource;	RidsNmssOd Resource;	RidsOgcMailCenter Resource;
RidsSecyMailCenter Resource;	RidsOcaMailCenter Resource;	RidsOigMailCenter Resource;
RidsEdoMailCenter Resource;	EDO_Managers;	RidsOcfoMailCenter Resource;
RidsOiMailCenter Resource;	RidsRgn1MailCenter Resource;	RidsRgn3MailCenter Resource;
SMorris, ORA	MMadison, DRMA	R4Enforcement Resource
JMonninger, ORA	DCylkowski, ORA	MLombard, OE
MMuessle, DNMS	RAlexander, ORA	JPeralta, OE
NOKeefe, DNMS	JKramer, ORA	SWoods, OE
LRoldanOtero, DNMS	VDricks, ORA	AMoreno, CA
JDykert, DNMS	ARoberts, ORA	LWilkins, CA
MBurgess, NMSS	JGroom, ORA	LHowell, OEDO
RSun, NMSS	R4DNMS_MIB	TMartinez-Navedo, OE

Document: [https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES S Drive/ENFORCEMENT/_EA CASES - OPEN/Kronus EA-21-119/NOV_EA-21-119_Kronus.docx](https://usnrc.sharepoint.com/teams/Region-IV-ACES/ACES%20S%20Drive/ENFORCEMENT/_EA%20CASES%20-OPEN/Kronus%20EA-21-119/NOV_EA-21-119_Kronus.docx)
 ADAMS: ML22027A482

SUNSI Review By: ACR		ADAMS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive	Keyword: EA-21-119
OFFICE	ES:ACES	C:MIB	TL:ACES	RC	D:DNMS	RA
NAME	ARoberts	LRoldanOtero	JGroom	DCylkowski	MMuessle	SMorris
SIGNATURE	/RA/ E	/RA/ E	/RA/ E	/RA/ E	/RA/ E	/RA/E
DATE	01/11/22	01/12/22	01/12/22	01/13/22	01/19/22	01/25/22

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

KRONUS, Inc.
Star, Idaho

Docket No. 030-35244
License No. 11-27646-01
EA-21-119

During an NRC inspection conducted remotely from April 22 to October 14, 2021, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 20.1501(a) requires, in part, that each licensee shall make or cause to be made, surveys of areas that may be necessary for the licensee to comply with the regulations in 10 CFR Part 20 and are reasonable under the circumstances to evaluate the potential radiological hazards of the radiation levels and residual radioactivity detected.

10 CFR 20.1003 defines *Survey* as an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation. When appropriate, such an evaluation includes a physical survey of the location of radioactive material and measurements or calculations of levels of radiation, or concentrations or quantities of radioactive material present.

Contrary to the above, from December 1999 to May 2021, the licensee failed to make or cause to be made, surveys of areas to comply with regulations in 10 CFR Part 20 that were reasonable under the circumstances to evaluate the potential radiological hazards of the radiation levels and residual radioactivity detected. Specifically, the licensee failed to make adequate physical surveys with a radiation detection survey meter that could reasonably detect low activity amounts of iodine-125 contamination and did not perform surveys at the end of the day in areas where unsealed iodine-125 was handled.

This is a Severity Level III violation (NRC Enforcement Policy Section 6.7.c.6).

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 030-35244/2021-001 and in your letter dated November 22, 2021. However, if the description therein does not accurately reflect your position or your corrective actions, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 within 30 days of the date of the letter transmitting this Notice of Violation. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation; EA-21-119," and send it 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 email it to R4Enforcement@nrc.gov.

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.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access

Enclosure

and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the 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).

Dated this 25th day of January 2022