



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

February 23, 2016

Mr. David J. Kuipers
President
OMM Engineering, Inc.
1680 East Paris, S.E., Ste. 300
Grand Rapids, MI 49546-8809

**SUBJECT: NRC SPECIAL INSPECTION REPORT NO. 03030556/2016001(DNMS) AND
NOTICE OF VIOLATION – OMM ENGINEERING, INC.**

Dear Mr. Kuipers:

On January 20, 2016, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a special inspection at your Grand Rapids, Michigan facility, with continued in-office review through February 10, 2016. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The in-office review included a review of the available information and data. Mr. Edward Kulzer of my staff conducted a final exit meeting by telephone with Mr. Douglas Hughes of your staff on February 10, 2016 to discuss the inspection findings.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation concerned the licensee's failure for the individual specifically authorized by Condition 12 of Amendment No. 06 of your NRC Materials License to fulfill the duties and responsibilities as Radiation Safety Officer (RSO). Specifically, the individual listed as RSO on the license left the employ of your company on July 31, 2015, and therefore, was no longer available to fulfill the duties and responsibilities as RSO. The violation is cited in the enclosed Notice of Violation (Notice). The NRC is citing the violation in the enclosed Notice because the inspector identified the violation.

The inspector determined that the root cause of the violation was a lack of familiarity with the specific conditions of your license. As corrective actions to restore compliance and to prevent recurrence, you have requested an amendment to name a new, qualified individual as the RSO on the license. That amendment request was approved, and the amended license was issued on January 19, 2016.

D. Kuipers

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The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be achieved is already adequately addressed on the docket in this letter. Therefore, you are not required to respond to this letter unless the description herein 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 Title 10 of the *Code of Federal Regulations* (CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

Please feel free to contact Mr. Kulzer of my staff if you have any questions regarding this inspection. Mr. Kulzer can be reached at 630-829-9875.

Sincerely,

/RA/

Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-30556
License No. 21-25914-01

Enclosure:
Notice of Violation

cc w/encl: Douglas Hughes,
Radiation Safety Officer
State of Michigan

D. Kuipers

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/RA/

Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-30556
License No. 21-25914-01

Enclosure:
Notice of Violation

cc w/encl: Douglas Hughes,
Radiation Safety Officer
State of Michigan

ADAMS Accession Number: ML16054A227

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NAME	EKulzer:ps		AMcCraw					
DATE	2/22/2016		2/23/2016					

OFFICIAL RECORD COPY

Letter to David Kuipers from Aaron McCraw dated February 23, 2016.

SUBJECT: NRC SPECIAL INSPECTION REPORT NO. 03030556/2016001(DNMS) AND
NOTICE OF VIOLATION – OMM ENGINEERING, INC.

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NOTICE OF VIOLATION

OMM Engineering, Inc.
Grand Rapids, Michigan

License No. 21-25914-01
Docket No. 030-30556

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on January 20, 2016, with continued in-office review through February 10, 2016, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition 12 of NRC License No. 21-25914-01, Amendment No. 06, dated July 23, 2015, authorized a specifically named individual to fulfill the duties and responsibilities of the Radiation Safety Officer (RSO) for the license.

Contrary to the above, as of July 31, 2015, the named individual, specifically authorized by Condition 12 of the license to fulfill the duties and responsibilities as RSO, was not employed by the licensee and did not fulfill the duties and responsibilities of the RSO. Specifically, the individual listed as RSO left the company on July 31, 2015; and until November 23, 2015, the licensee had not appointed a new individual to perform the duties and responsibilities of the RSO.

This is a Severity Level IV violation (Section 6.3).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved, is already adequately addressed on the docket in the letter transmitting this Notice of Violation (Notice). However, you are required to submit a written statement or explanation pursuant to Title 10 of the *Code of Federal Regulations* (CFR) 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, IR 03030556/2016001(DNMS)" 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, Region III, within 30 days of the date of the letter transmitting this Notice.

If you choose to respond, your response will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

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.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 23rd day of February, 2016.

Enclosure