



ENVIRONMENTAL PROTECTION INDUSTRIES

August 21, 2018

Ms. Christine A. Lipa, Acting Director
Division of Nuclear Materials Safety
US NRC - Region III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532

**RE: Response to the Apparent Violation in Report No. 15999912/2018(DNMS)
NRC Special Inspection Report EA-18-009**

Dear Ms. Lipa:

Environmental Protection Industries (EPI) respectfully submits this letter to document Corrective Actions and steps taken for the above referenced Violation of Title 10 CFR 150.20(b)(1). Corrective Actions were taken immediately upon notification on Thursday, July 5, 2018, and EPI suspended work (utilizing a nuclear density gauge) in Indiana. EPI has not resumed any operations involving the use of a nuclear density gauge in the State of Indiana, and will not until this matter is fully resolved. The NRC Special Inspection Report was posted outside of the secure storage area and on the Employee Notice Board in the EPI lunch room on the day the NRC Special Inspection Report was received. The reason for the violation, corrective actions and compliance date are outlined below.

1 Reason for Apparent Violation

At the time of the Violation, EPI was unaware that Indiana is a "Non-Agreement State." EPI was under an erroneous assumption that due to the licensure from the State of Illinois, our actions fall under an umbrella of IEMA.

2 Corrective Actions

Use of the Nuclear Density Gauge in Indiana was suspended immediately upon notification of the Title 10 CFR 150.20(b)(1) regulations and violation, as per NRC phone call on Thursday, July 5, 2018.

EPI immediately filed NRC Form 241 (July 9, 2018) for calendar year 2018, which was hand-delivered to NRC's office on Monday, July 9, 2018, along with an appropriate fee for the above.

EPI provided the NRC with all dates and locations of unauthorized portable nuclear density gauge use in Indiana in 2018. This information was e-mailed to NRC on Monday, July 9, 2018.

EPI has identified all nearby Non-Agreement States, and the EPI RSO has researched, reviewed and studied the applicable Title 10 Regulations and Reciprocity. EPI realizes that the noted form and fee are only applicable to calendar year 2018. A new form will be filed, as necessary, in 2019.

3 Corrective Steps

The Corrective Actions taken will prevent future violations. EPI realizes its mistake in licensure agreement assumption with different States. EPI had four telephone conversations with NRC representative, at which time our corrective actions were outlined.



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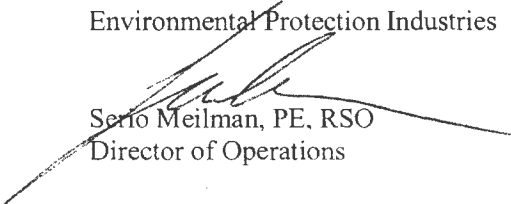
4 Compliance Date

Monday, July 9, 2018.


EPI apologizes for any inconvenience that our actions may have caused, and assures NRC that this will not happen again.

Should you have any question, please do not hesitate to contact us.

Environmental Protection Industries



Sergio Meilman, PE, RSO
Director of Operations



Robert L. Mankowski
Vice President-Technical Services

Environmental Engineering • Assessment • Remediation • Brownfield Redevelopment • Construction Management

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R3 Reciprocity

From: Sergio Meilman <smeilman@environmental-epi.com>
Sent: Wednesday, August 22, 2018 1:27 PM
To: R3 Reciprocity
Cc: 'Robert Mankowski'; 'Michael Musa'
Subject: [External_Sender] Environmental Protection Industries - NRC Special Inspections Inspection report
Attachments: scanner@environmental-epi.com_20180822_121250.pdf

Dear Ms. Lipa and Mr. O'Dowd:

As per our conversation, enclosed please find a letter of explanation of an apparent violation. EPI deeply regrets this non-compliance. Corrective actions had been implemented immediately upon NRC's notification, and were discussed in detail with NRC's representative. EPI is looking forward to a full resolution of this matter.

Thank you again – please feel free to call me anytime if you have additional questions or comments.

Thank you again

Sergio Meilman, P.E., Ph.D., RSO
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