



T-O ENGINEERS

License number: 49-29307-01
Docket: 030-37815
Case/Reference Number: 610286, 610790

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-001

RE: Response to Notice of Violation

NRC Violation No. 030-37815/2019-001

Mr. Torres,

Pursuant to the provisions of 10 CFR 30.34(b), this letter submits the response of T-O Engineers, Inc. to the Notice of Violation described in a letter from the NRC dated February 22nd, 2019. T-O Engineers accepts the violation. The response is included as an attachment to this letter.

Should you have any questions or comments on this transmittal, do not hesitate to contact us.

Sincerely,

William Russell, PE

President – T-O Engineers

Attachment

IED7
RCN-IV

ATTACHMENT

REPLY TO A NOTICE OF VIOLATIONS

VIOLATION. 030-37815/2019-001

DOCKET NO. 030-37815

REPLY TO THE NOTICE OF VIOLATION

1. Description of the Notice of Violation

10 CFR 30.34(b) requires, in part, that no license issued or granted pursuant to the regulations shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.

Contrary to the above, on August 1, 2018, the licensee completed a transfer of control of NRC License 49-29307-01, without receiving the Commission's consent in writing. Specifically, Graham, Dietz & Associates dba GDA Engineers merged with T-O Engineers, Inc., which constituted a change of control under CFR 30.34(b), without receiving prior NRC approval and consent in writing.

2. Response to the Notice of Violation

T-O Engineers accepts this violation.

i. Description of the Event

The event described in the Notice is accurate. The corporate merger was completed on August 1st, and no commission consent had been approved prior. During this time the gauges were maintained and controlled in accordance with the existing radiation protection program. After being made aware of the violation an investigation and interviews and discussions were held to identify training gaps and other corrective measures.

ii. Reason for the Violation

The violation resulted from an oversight during the acquisition process. Due to the sensitive nature of the merger details were largely confidential until the sale was finalized, effectively preventing the RSA from providing the needed feedback and input in the process. The violation occurred because the merger proceeded without the knowledge of the RSA, who would have ensured consent was received prior to the sale had he known.

iii. Corrective Steps that have been taken and results achieved

The transfer paperwork has been submitted to the agency and the parties involved in mergers have been informed of this requirement for any future activities related to mergers involving NRC licenses. The root cause of this violation has been identified as a communication breakdown during the corporate merger process.

iv. Corrective steps that will be taken to avoid further Violations

Staff involved in any merger activities will be informed and trained on NRC licensing as it pertains to potential future merger or sale activities.

v. Date when full compliance will be achieved

It is our understanding that with previous completion of the transfer paperwork that T-O is now in compliance with all requirements and conditions of the NRC permits.

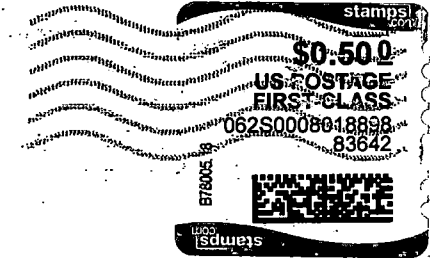


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