



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

March 24, 2021

Mr. Lazaro Casnueva
Techcomp, USA
dba Scion Instruments
4801 Southwest Parkway
Suite 125
Austin, TX 78735

SUBJECT: NRC ROUTINE INSPECTION REPORT 2020-001 AND NOTICE OF VIOLATION

Dear Mr. Casanueva:

This letter refers to the routine inspection conducted on November 10, 2020, at your facility in Austin, Texas. The inspection was an examination of activities conducted under your license as they relate to public health and safety, to confirm compliance with the U.S. Nuclear Regulatory Commission's (NRC's) rules, regulations, and with the conditions of your license. Within these areas, the inspection consisted of a selected examination of procedures, and representative records, observations of licensed activities, and interviews with personnel. The preliminary inspection findings were discussed with you at the conclusion of the on-site inspection on November 10, 2020. A final exit briefing was conducted with you telephonically on March 17, 2021.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements had occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation involved the failure to provide instructions that users not handle or remove the device. This violation is being cited in the enclosed Notice of Violation (Notice) because the NRC identified the violation during our inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the Information Notice on the NRC website at: <https://www.nrc.gov/docs/ML0612/ML061240509.pdf>. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not

L. Casanueva

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include any personal privacy, or proprietary information so that it can be made available to the Public without redaction.

Should you have any questions regarding this letter or the enclosed Notice, please contact Allyce B. Bolger at 817-200-1197 or the undersigned at 817-200-1455.

Sincerely,

Daniel S. Bradley, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket: 030-39024
License: 42-35093-01E

Enclosure:
Notice of Violation (Notice)

cc: w/Enclosure
State of Texas Radiation Control Program

NRC ROUTINE INSPECTION REPORT 2020-001 AND NOTICE OF VIOLATION DATED - MARCH 24, 2021

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By: ABB Yes No Publicly Available Sensitive NRC-002

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NOTICE OF VIOLATION

Techcomp, USA dba Scion Instruments
Austin, Texas

License No.: 42-35093-01E
Docket No.: 030-39024

During an NRC inspection conducted on November 10, 2020, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition 14 of NRC License 42-35093-01E, Amendment No. 1, dated May 17, 2018, 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, listed in License Condition 14.

License Condition 14, letter dated June 13, 2014, describes the instructions that the licensee committed to provide to end users of gas chromatographs regarding the degree of end user access to the electron capture device (ECD) during normal handling and use. The licensee committed that the instructions provided to end users of gas chromatographs would specify that the end user not attempt to remove the ECD from the gas chromatograph on their own and that the licensee would perform such services.

Contrary to the above, from March 5, 2018 - August 11, 2020, the licensee failed to provide instructions to end users of gas chromatographs that specified that the end user not attempt to remove the ECD from the gas chromatograph on their own and that the licensee would perform such services. Specifically, from March 5, 2018 - August 11, 2020, the licensee distributed 15 ECDs in gas chromatographs and the licensee-provided instructions did not contain any statements that the ECD was not to be handled or removed from the gas chromatograph by the end user.

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

Pursuant to the provisions of 10 CFR 2.201, Techcomp, USA dba Scion Instruments 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, Region IV, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (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, an order or a Demand for Information may be issued requiring information as to why the 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, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site 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. 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 withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (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 may be required to post this Notice within two working days of receipt.

Dated this 24th day of March 2021.