



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BLVD.  
KING OF PRUSSIA, PA 19406-2713

June 22,2021

Mr. Pedro Feliciano Benitez, President  
L. P. C. & D., Inc.  
P.O Box 2025  
Las Piedras, PR 00771

SUBJECT: L. P. C. & D., INC. - NRC INSPECTION NO. 030-31955/2021-001 AND NOTICE OF VIOLATION

Dear Mr. Feliciano:

This letter refers to the limited-scope inspection conducted remotely from June 4-16, 2021. This inspection examined your activities related to the preparation of a termination application, including the role of CRMI, a consulting license (NRC license 52-25430-01). Within this area, the inspection consisted of a review of select records and an interviews with individuals. The inspection findings were discussed with Mr. Luis E. Rodriguez Arcelay, C.E., P.E., of your staff telephonically on June 16, 2021, at the conclusion of the NRC's remote review.

Based on the results of this inspection, the NRC has determined that a 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 Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice) because the violation was identified by the NRC. The violation involved the failure to provide complete and accurate information to the NRC, specifically with regards to the termination request prepared with the assistance of CRMI.

The NRC has concluded that additional information is not required as a result of your pending request to terminate your NRC license. Therefore, you are not required to respond to this letter unless the termination action is withdrawn or otherwise nullified. 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 and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document 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 you have any questions regarding this matter, please contact Mr. Jason vonEhr of my staff at (610) 337-5256 or via electronic mail at [Jason.vonEhr@nrc.gov](mailto:Jason.vonEhr@nrc.gov).

Thank you for your cooperation.

Sincerely,

Chris Cahill, Chief  
Commercial, Industrial, R&D  
and Academic Branch  
Division of Radiological Safety and Security  
Region I

Docket No. 030-31955  
License No. 52-25125-01

Enclosure:  
Notice of Violation

cc w/ enclosure

1. Israel Morales, P.E., RSO
2. Commonwealth of Puerto Rico

L. P. C. & D., INC. - NRC INSPECTION NO. 030-31955/2021-001 AND NOTICE OF VIOLATION JUNE 22, 2021

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DOCUMENT NAME: [https://usnrc-my.sharepoint.com/personal/jev1\\_nrc\\_gov/Documents/Desktop/Inspections POC and Inherited/Inspections/2021-02 RI 2020Q2 Inspections/12 - Limited for L. P. C & D, Inc. and CRMI/R52-25125-01.2021-001.docx](https://usnrc-my.sharepoint.com/personal/jev1_nrc_gov/Documents/Desktop/Inspections POC and Inherited/Inspections/2021-02 RI 2020Q2 Inspections/12 - Limited for L. P. C & D, Inc. and CRMI/R52-25125-01.2021-001.docx)

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OFFICE	RI:DRSS	RI:DRSS			
NAME	Jason vonEhr	Chris Cahill			
DATE	6/22/2021	6/22/2021			

OFFICIAL RECORD COPY

## **NOTICE OF VIOLATION**

L. P. C. & D., Inc.  
Las Piedras, PR

Docket No. 030-31955  
License No. 52-25125-01

During a limited-scope inspection conducted remotely from June 4-16, 2021, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 30.9(a) requires, in part, that information provided to the Commission by a licensee be shall be complete and accurate in all material respects.

Contrary to the above, on April 28, 2021, the licensee provided information to the Commission that was not complete and accurate in all material respects. Specifically, with the assistance of CRMI, the licensee prepared and provided a license termination request to the NRC dated April 28, 2021, that included a receipt acknowledgement letter from a portable nuclear gauge manufacturer that was modified from its original version to reflect a serial number of a portable nuclear gauge that was not received by the manufacturer. This is material to the NRC because the NRC expects licensees to take great care in preparing and submitting official correspondences to amend, renew, or terminate their NRC license.

This is a Severity Level IV violation (NRC Enforcement Policy Section 6.9.d.)

The NRC has concluded that additional information is not required as a result of your pending request to terminate your NRC license. Therefore, you are not required to respond to this letter unless the termination action is withdrawn or otherwise nullified. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response, should you choose to provide one, will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy or proprietary information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated This 22 day of June 2021