



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

August 27, 2021

W. Hank Stack, PE
Duffield Associates, LLC
5400 Limestone Road
Wilmington, DE 19808

SUBJECT: DUFFIELD ASSOCIATES, LLC - NRC INSPECTION NO. 030-12739/2021-001
AND NOTICE OF VIOLATION

Dear Mr. Stack:

This letter refers to the inspection opened as result of the indirect change of control of your license, which occurred on December 31, 2020, but which was not approved prior to the transfer. The inspection was conducted during the office review of the information provide in letters dated January 25, April 8, and May 26, 2021. It also was conducted onsite and at a field site on July 30, 2021.

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.

We have reviewed your corrective actions and no further correspondence is required.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," 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, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions regarding this matter, please contact Steve Shaffer of my staff at (610) 337-5225 or by electronic mail to steve.shaffer@nrc.gov.

W. H. Stack

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Thank you for your cooperation.

Sincerely,

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

Docket No. 030-12739
License No. 07-17431-01

Enclosure:
Notice of Violation

cc w/ enclosure
Michael S. Johnson, Radiation Safety Officer
State of Delaware

DUFFIELD ASSOCIATES, LLC - NRC INSPECTION NO. 030-12739/2021-001 AND NOTICE OF VIOLATION AUGUST 27, 2021

DOCUMENT NAME: Rs1\Office\DNMS\WBL Documents\WBL Inspection Cover Letter\L07-17431-01.2021-001.NOV.docx

<input type="checkbox"/> SUNSI Review		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
OFFICE	R1/DRSS	R1/DRSS			
NAME	SShaffer	CCahill			
DATE	8/26/21	8/27/21			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Duffield Associates, LLC
Wilmington, Delaware

Docket No. 030-12739
License No. 07-17431-01

During an NRC inspection conducted on June 22, 2021, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 30.34(b) states:

- (1) No license issued or granted pursuant to the regulations in [parts 30] through 36, and 39 nor any right under a license 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.
- (2) An application for transfer of license must include:
 - (i) The identity, technical and financial qualifications of the proposed transferee; and
 - (ii) Financial assurance for decommissioning information required by [10 CFR] 30.35.

Contrary to the above, on December 31, 2021, as described in ADAMS package accession number ML21039A481, the indirect transfer of control of Duffield Associates, Inc. resulted from an asset sale to Hull & Associates, LLC, resulting in Duffield Associates, Inc. becoming wholly-owned by Hull & Associates, LLC and changing to Duffield Associates, LLC. Specifically, the transfer of control occurred on December 31, 2020, but the Commission was informed of the change in a letter dated January 25, 2021, therefore the transfer occurred without receiving prior written consent from the Commission.

This is a Severity Level IV violation (Enforcement Policy 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 will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 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," 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).

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

Dated This 27th day of August 2021