



Hampton, Lenzini and Renwick, Inc.

Civil Engineers • Structural Engineers • Land Surveyors • Environmental Specialists
www.hlrengineering.com

November 15, 2022

Michael Kunowski
United States
Nuclear Regulatory Commission
Region III
Lisle, IL 60532-4352

Subject: Response to the Apparent Violation in Inspection Report No 150-00012/2022001 (DRSS) EA-22-090

Mr.Kunowski:

Please find below our response regarding the apparent violation of failing to submit for reciprocity before using licensed material in NRC jurisdiction under the terms of an Agreement State license, as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Section 150.20..

The reason for the apparent violation: Hampton, Lenzini and Renwick, Inc (HLR) had contacted the State of Indiana and obtained a registration to use a portable nuclear gauge in the State of Indiana. During this process of contact personnel within the State of Indiana to obtain registration in Indiana, HLR personnel was told that the Indiana registration was all that was needed to utilize the portable nuclear gauge in Indiana since we had an Illinois license. HLR was unaware of the NRC jurisdiction under the terms of an Agreement State license, as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Section 150.20. HLR did not become aware of NRC jurisdiction under the terms of an Agreement State license, as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Section 150.20. until notified by NRC.

Corrective action taken:

- (1) HLR agreed not to conduct work in NRC jurisdiction until compliance was restored.
- (2) July 13, 2022 Submitted the NRC Form241 for calendar year 2022 and made payment of the required fee prior to scheduling additional work in NRC jurisdiction.
- (3) Posted notices above the gauge logs area that 1, the gauges are only allowed to be taken into Illinois and Indiana and 2, that when taken into Indiana a NRC Form 241 "Report of Proposed Activities in Non-Agreement States" must be filled out and submitted to the NRC 3 days prior to the activity.
- (4) November 15, 2022 Submitted payment for appropriate fee's for the prior calendar years 2019, 2020 and 2021.
- (5) HLR has created electronic reminders in the electronic calendars of the Vice President, RSO and administrative assistant in the Mt Carmel office that the appropriate fee must be paid at the beginning of every calendar year.



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- (6) HLR has had training and educated employees on the requirement for submitting and filling out NRC Form 241, 3 days prior to working in non - agreement States.

Corrective action to be taken to avoid further violations:

- (1) HLR plans to file a reciprocity submittal as required going forward.
- (2) HLR will include the above-mentioned training for any new employees when taking their Troxler gauge training.
- (3) HLR will include the above-mentioned training and education as a reminder in our yearly employee hazard training program in January – February of every year.

Results achieved from corrective actions taken

- (1) HLR and its employees are now aware of the requirement to either file reciprocity with the NRC each calendar year in which they intend to work in NRC jurisdiction or obtain a specific license from the NRC.
- (2) HLR is now in compliance

Date Compliance was achieved: On July 13, 2022 HLR submitted the NRC Form 241 for calendar year 2022, a copy of the State of Illinois license, and confirmation of payment of the required fee prior to scheduling additional work in NRC jurisdiction.

Sincerely,

Hampton, Lenzini and Renwick, Inc
Austin Ridgely, P.L.S.
Vice President