



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

October 24, 2023

EA-23-050

Marc Dauteuil, Deputy Director
BSX, LLC
606B Thimble Shoals Blvd.
Suite B2
Newport News, VA 23606

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 030-39105/2022-001 AND
NOTICE OF VIOLATION

Dear Marc Dauteuil:

On February 15, 2023, the U.S. Nuclear Regulatory Commission (NRC) issued Inspection Report 030-39105/2022-001 and Notice of Violation (Notice) (NRC Agencywide Documents Access and Management System (ADAMS) Accession No. ML23046A143). The Notice described two violations: (1) Violation A was for the failure to notify the NRC at least 14 days before initiating activities under your license at a temporary job site and provide the NRC with a copy of the written agreement between BSX, LLC, and the customer; and (2) Violation B was for the failure to ensure that licensed materials were only used by, or under the supervision of individuals that were designated in writing by the Radiation Safety Officer.

The Notice required you to reply in writing within 30 days. You responded by letter dated April 12, 2023, in which you provided your corrective actions for Violation A and disputed Violation B (EA-23-050) (ADAMS Accession No. ML23103A472). In letter dated August 2, 2023, the NRC provided BSX, LLC, with the results of its review of the disputed violation (ADAMS Accession No. ML23195A178). As described in the August 2, 2023, letter, the disputed violation (Violation B) was upheld, and you were required to respond to the upheld violation within 30 days of the date of the letter. You responded by letter dated October 12, 2023, in which you provided your corrective actions for Violation B (ADAMS Accession No. ML23286A287).

After reviewing the information provided in your April 12, 2023, reply for Violation A, and in your October 12, 2023, reply for Violation B, we have concluded that your completed and proposed corrective actions appear to adequately address the regulatory non-compliances described in the Notice. Your implementation of these corrective actions will be reviewed during a future inspection to determine whether full compliance has been restored and whether compliance will be maintained.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

A handwritten signature in cursive script, reading "Lizette Roldán-Otero", is displayed within a light gray rectangular box.

Signed by Roldan-Otero, Lizette
on 10/24/23

Lizette Roldán-Otero, Ph.D., Chief
Materials Inspection Branch
Division of Radiological Safety and Security

Docket No. 030-39105
License No. 50-35484-01

RESPONSE TO NRC INSPECTION REPORT 030-39105/2022-001 AND NOTICE OF VIOLATION DATED—OCTOBER 24, 2023

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Document: RESPONSE TO NRC INSPECTION REPORT 030-39105/2022-001 AND NOTICE OF VIOLATION

ADAMS ACCESSION NUMBER: **ML23297A259**☒ SUNSI Review:

ADAMS:

☐ Non-Publicly Available and Sensitive

By: JFK

☒ Yes ☐ No☒ Publicly Available and non-sensitive

OFFICE	SHP:MIB	C:MIB				
NAME	JFKatanic	LRoldán-Otero				
SIGNATURE	/RA/	LRO				
DATE	10/12/23	10/24/23				

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