



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD – SUITE 102
KING OF PRUSSIA, PA 19406-1415

October 18, 2023

William E. Stenger, Manager of Operations -
GeoSciences, and Radiation Safety Officer
CDI Infrastructure, LLC dba L. R. Kimball
615 West Highland Avenue
Ebensburg, PA 15931

**SUBJECT: CDI INFRASTRUCTURE, LLC DBA L. R. KIMBALL, NRC INSPECTION NO.
030-16053/2023-001 AND NOTICE OF VIOLATION**

Dear Mr. Stenger:

By letter dated May 17, 2023, CDI Infrastructure, LLC dba L. R. Kimball, submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for an amendment to change the name of the company to "TranSystems Corporation dba TranSystems Corporation Consultants". An internet review identified that an indirect change of control had occurred in 2021. This conclusion was based on an announcement by TranSystems dated June 21, 2021, that TranSystems Corp. acquired L. R. Kimball, "formerly a division of CDI Engineering Solutions..." This was confirmed during a telephone discussion with you on September 21, 2023, and the letter dated October 2, 2023. The NRC did not receive an application for transfer of the license in 2021 or provide consent to the indirect transfer of the license to TranSystems Corp. as required by 10 CFR 30.34(b), and the NRC was unaware of the transfer of control until the request to amend the license in 2023. Therefore, a non-routine inspection was opened to review the indirect transfer of control that occurred in 2021. This inspection examined activities related to compliance with the Commission's rules and regulations related to the indirect change of control.

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.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. 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 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 Betsy Ullrich of my staff at (610) 337-5040 pr (240) 704-4574 (cell) or by electronic mail to Elizabeth.ullrich@nrc.gov.

Thank you for your cooperation.

Sincerely,

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

License No. 37-17717-02
Docket No. 030-16053

Enclosure:
Notice of Violation

cc w/ enclosure
Commonwealth of Pennsylvania

CDI INFRASTRUCTURE, LLC DBA L. R. KIMBALL, NRC INSPECTION NO. 030-16053/2023-001 AND NOTICE OF VIOLATION DATED OCTOBER 18, 2023

DOCUMENT NAME: [G:\WBL Documents\WBL Inspection Cover Letter\L37-17717-02.2023-001.docx

XX 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	RI:DRSS	RI:DRSS			
NAME	EUIrich	CCahll			
DATE	10/17/23	10/18/23			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

CDI Infrastructure, LLC dba L. R. Kimball
Ebensburg, PA

Docket No. 030-16053
License No. 37-17717-02

During an NRC inspection conducted on September 6-21, 2023, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 30.34(b)(1) requires that no license issued or granted pursuant to the regulations in this part and parts 31 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.

Contrary to the above, during the period of June 21, 2021 and May 17, 2023, the licensee did not provide information to the Commission regarding an indirect transfer of control of the license that occurred in 2021. Specifically, on June 21, 2021, TranSystems Corp. announced the acquisition of L. R. Kimball, formerly a division of CDI Engineering Solutions. The Commission learned of this indirect transfer of control in a letter dated May 17, 2023, requesting that the license name be changed from "CDI Infrastructure, LLC dba L. R. Kimball" to "TranSystems Corporation dba TranSystems Corporation Consultants."

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

Pursuant to the provisions of 10 CFR 2.201, CDI Infrastructure, LLC dba L. R. Kimball, also known as TranSystems Corporation dba TranSystems Corporation Consultants, is hereby required to submit a written statement or explanation 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). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, 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 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 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 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, proprietary, or

safeguards information so that it can be made publicly 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 18th day of October 2023