



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

April 01, 2024

EA-23-145

Ed Manuel, President  
Quality Inspection & Testing, Inc.  
5328 Highway 190  
Eunice, LA 70535

SUBJECT: QUALITY INSPECTION & TESTING, INC. – NOTICE OF VIOLATION, NRC  
INSPECTION REPORT 030-39114/2023-001

Dear Ed Manuel:

This letter refers to the unannounced, routine inspection, conducted from June 27, 2023, through January 24, 2024, of licensed activities performed at temporary job sites located in U.S. Nuclear Regulatory Commission (NRC) jurisdiction. The purpose of the inspection was to examine activities conducted under your license as they relate to public health and safety and to confirm compliance with NRC rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of a selected examination of procedures and representative records, and interviews with personnel. A final exit meeting was conducted with you and Taylor Johnson, Radiation Safety Officer (RSO) on January 24, 2024. Details of the inspection and the apparent violations were provided to you in the subject inspection report, dated February 5, 2024, Agencywide Documents Access and Management System (ADAMS) Accession No. ML24017A138.

In the letter transmitting the inspection report, we provided you with the opportunity to address the apparent violations identified in the report by either attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. In letters received March 4, 2024 (ML24072A066 and ML24072A242), you provided a written response to the apparent violations.

Based on the information developed during the inspection and the information you provided in your March 4, 2024, written response to the inspection report, the NRC has determined that two violations of NRC requirements occurred. The violations are cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding the violations are described in detail in the subject inspection report. The violations involved the failure to: (A) amend your license to change the RSO after the previous RSO left your employment; and (B) amend your license prior to changing the office address listed on the license.

The NRC considers Violation A to be significant because the NRC relies on the named and qualified RSO to oversee licensed activities and to maintain communication with the NRC regarding the licensed program. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. The current Enforcement Policy can be found on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

The NRC considers Violation B to be less serious, but of more than minor safety significance, and has categorized it in accordance with the NRC Enforcement Policy at Severity Level IV. This violation is being formally cited as violation rather than as non-cited violation because it was identified by the NRC.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$18,000 is considered for Severity Level III Violation A.

Because your facility has not been the subject of an escalated enforcement action within the last two routine inspections, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the NRC Enforcement Policy. The NRC has determined that *Corrective Action* credit is warranted based on the prompt and comprehensive corrective actions you implemented. Your corrective actions to address the violation are documented in NRC Inspection Report 030-39114/2023-001 and in your letters received March 4, 2024.

Therefore, in recognition of the absence of previous escalated enforcement action, and your prompt and comprehensive corrective actions, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty. In addition, issuance of this Severity Level III violation constitutes escalated enforcement action that may subject you to increased inspection effort.

The NRC has concluded that information regarding: (1) the reason for the violations; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 030-39114/2023-001 and in your letters received March 4, 2024. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. 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 "Agency Rules of Practice and Procedure," a copy of this letter, the enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's ADAMS, accessible from the NRC website 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. The NRC also includes significant enforcement actions on its website at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

If you have any questions concerning this matter, please contact Dr. Janine F. Katanic, CHP, of my staff at 817-200-1455.

Sincerely,



Signed by Monninger, John  
on 04/01/24

John D. Monninger  
Regional Administrator

Docket No. 030-39114  
License No. 17-35492-01

Enclosure:  
Notice of Violation

cc w/Enclosure:  
Jerry Lang, Administrator  
Emergency & Radiological Services Division  
Louisiana Department of Environmental Quality

QUALITY INSPECTION & TESTING, INC. – NOTICE OF VIOLATION, NRC INSPECTION REPORT 030-39114/2023-001- DATED APRIL 01, 2024

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NAME	JKramer	JKatanic	JGroom	DCylkowski	LSreenivas	TBloomer
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DATE	03/13/24	03/14/24	03/13/24	03/13/24	03/26/24	03/26/24
OFFICE	RA					
NAME	JMonninger					
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DATE	04/01/24					

**OFFICIAL RECORD COPY**

## NOTICE OF VIOLATION

Quality Inspection & Testing, Inc.  
Eunice, Louisiana

Docket No. 030-39114  
License No. 17-35492-01  
EA-23-145

During an NRC inspection conducted from June 27, 2023, to January 24, 2024, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. License Condition 12 of NRC Materials License 17-35492-01, Amendment 3, identified a named individual as the Radiation Safety Officer (RSO).

Contrary to the above, from April to November 30, 2023, the licensee failed to have that named individual as the RSO. Specifically, the RSO, listed on the license terminated their employment in April 2023, and the licensee failed to amend the license to replace the RSO.

This is a Severity Level III Violation (Enforcement Policy Section 6.3.c.11.d).

- B. Item 2 of NRC Materials License 17-35492-01, Amendment 3 states, in part, that the licensee office location is 2904A West Old Spanish Trail, New Iberia, Louisiana 70560.

Contrary to the above, from March to November 30, 2023, the licensee failed to maintain the office location at 2904A West Old Spanish Trail, New Iberia, Louisiana 70560. Specifically, the licensee moved the office location to 5328 Highway 190, Eunice, Louisiana 70535 in March 2023 and failed to amend the license prior to moving the office location.

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

The NRC has concluded that information regarding: (1) the reason for the violations; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 030-39114/2023-001 and in letters received March 4, 2024.

However, if the description therein does not accurately reflect your position or your corrective actions, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 within 30 days of the date of the letter transmitting this Notice of Violation. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation; EA-23-145," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 1600 East Lamar Blvd., Arlington, Texas 76011-4511, and email it to [R4Enforcement@nrc.gov](mailto:R4Enforcement@nrc.gov).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Enclosure

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction.

If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request that such material is withheld from public disclosure, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

Dated this 1st day of April 2024