



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

August 26, 2024

EA-23-048

Craig Viator, Radiation Safety Officer  
MIT International of LA, Inc.  
1017 QCP Park Drive  
Broussard, LA 70518

SUBJECT: MIT INTERNATIONAL OF LA, INC. - NRC INSPECTION REPORT  
150-00017/2023-001 AND INVESTIGATION REPORT 4-2023-012 AND  
NOTICE OF VIOLATION

Dear Craig Viator:

This letter refers to the in-office review conducted from January 2, 2023, to April 2, 2024, of MIT International of LA, Inc. (MIT or licensee) from Lafayette, Louisiana. The purpose of the in-office review was to review your reciprocity request to conduct licensed activities in offshore waters, an area of Federal jurisdiction. This letter also refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations from May 16, 2023, to April 2, 2024. The purpose of the investigation was to determine whether licensee personnel willfully allowed radiography work to be performed in offshore waters prior to filing the required documents.

Based on the evidence developed during the investigation, the concern that licensee personnel willfully allowed radiography work to be performed in offshore waters prior to filing the required documents was not substantiated. The NRC plans no further actions related to the investigation and considers it closed.

Based on the results of the in-office review, the NRC has determined that one Severity Level IV violation of NRC requirements occurred that involved the failure to file a complete initial application for reciprocity prior to working in offshore waters for calendar year 2023. The violation was evaluated in accordance with the NRC Enforcement Policy, which is included on the NRC's website at (<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>). The violation is being cited in the Notice of Violation (Enclosure 1) because it was identified by the NRC during a review of records submitted by MIT.

In accordance with the Enforcement Policy, failure to file an NRC Form 241 prior to engaging in licensed activities in NRC jurisdiction is normally categorized as a Severity Level III violation; however, the Enforcement Policy also includes a Severity Level IV violation example when certain criteria are met.

You only met three of the four criteria listed in the Severity Level IV violation example, so MIT's failure to file for reciprocity more accurately reflects a Severity Level III violation. However, in this case, several factors were considered to disposition this violation at Severity Level IV. The factors included the following: (1) the licensee submitted the initial NRC Form 241, "Report of Proposed Activities in Non-Agreement States," only 2 days late and still before actually engaging in activities in offshore waters, and therefore the NRC had the opportunity to inspect the licensee prior to work completion; (2) the licensee had a history of filing the required paperwork (NRC Form 241) for several years in a timely fashion; (3) the licensee has no escalated enforcement history and no prior violations for reciprocity with the NRC; (4) the licensee only worked for 3 days in offshore waters; and (5) the licensed activities were performed in offshore waters, thereby limiting security access concerns, as well as potential for exposure to members of the public.

Additionally, on September 12, 2023, MIT informed the NRC that they did not intend to renew its state license. The NRC confirmed that on May 28, 2024, the State of Louisiana terminated MIT's radioactive materials license. Considering these mitigating factors, the NRC determined that this violation is more appropriately characterized at Severity Level IV.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is adequately addressed on the docket in this letter and in Enclosure 2. Therefore, you are not required to respond to this letter unless the description herein 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 of Violation.

After multiple unsuccessful attempts to contact you to schedule a final exit meeting with you telephonically, which is our normal practice, we are instead providing the results of the in-office review documented in the report details in Enclosure 2. If you have any questions, you may use the contact information provided at the end of this cover letter

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosures, 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's Agencywide Documents Access and Management System (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.

Please feel free to contact Casey Alldredge at 817-200-1546 or Samantha Everett at 817-200-1124 if you have any questions regarding this letter.

Sincerely,



Signed by O'Keefe, Cornelius  
on 08/26/24

Neil F O'Keefe, Chief  
Materials Licensing Branch  
Division of Radiological Safety and Security

C. Viator

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Docket No. 150-00017

License No. 10 CFR 150.20 (General License)

Enclosures:

1. Notice of Violation
2. Report Details

cc w/Enclosure:

J. Lang, Administrator  
State of Louisiana Radiation  
Control Program

[Jerry.Lang@la.gov](mailto:Jerry.Lang@la.gov)

MIT INTERNATIONAL OF LA, INC. - NRC INSPECTION REPORT 150-00017/2023-001  
 AND INVESTIGATION REPORT 4-2023-012 AND NOTICE OF VIOLATION –  
 DATED AUGUST 26, 2024

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DOCUMENT NAME: NRC INSPECTION REPORT 150-00017/2023-001 AND INVESTIGATION REPORT  
 4-2023-012 AND NOTICE OF VIOLATION

ADAMS ACCESSION NUMBER: **ML24232A060**

<input checked="" type="checkbox"/> SUNSI Review	ADAMS:	<input type="checkbox"/> Sensitive	<input type="checkbox"/> Non-Publicly Available	Keyword
By: NFO	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Non-Sensitive	<input checked="" type="checkbox"/> Publicly Available	NRC-002
OFFICE	HP:MLB	TL:ACES	C:MIB	C:MLB
NAME	SEverett	BAflerink	LRoldan-Otero	NO'Keefe
SIGNATURE	<i>/RA/ E</i>	<i>/RA/ E</i>	<i>/RA/ E</i>	<i>/RA/ E</i>
DATE	8/19/24	8/20/24	8/23/24	8/26/24

**OFFICIAL RECORD COPY**

## NOTICE OF VIOLATION

MIT International of LA, Inc.  
Broussard, LA

Docket No. 150-00017  
License No. 10 CFR 150.20  
EA-23-048

During an NRC in-office review conducted from January 2, 2023, to April 2, 2024, and an NRC investigation conducted from May 16, 2023, to April 2, 2024, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 150.20(a)(1) requires, in part, that any person who holds a specific license from an Agreement State is granted a general license to conduct the same activity in offshore waters subject to the provisions of 10 CFR 150.20(b).

10 CFR 150.20(b)(1) requires, in part, that any person engaging in activities in offshore waters under the general license provisions of 10 CFR 150.20 shall, at least 3 days before engaging in each activity for the first time in a calendar year, file a submittal containing an NRC Form 241, "Report of Proposed Activities in Non-Agreement States", a copy of its Agreement State specific license, and the appropriate fee as prescribed in 10 CFR 170.31 with the Regional Administrator of the appropriate NRC regional office.

Contrary to the above, on January 2, 3, and 8, 2023, MIT International of LA, Inc., a licensee of the State of Louisiana, engaged in activities in offshore waters without filing a submittal containing an NRC Form 241, "Report of Proposed Activities in Non-Agreement States," a copy of its Agreement State specific license, and the appropriate fee with the Regional Administrator of the Region IV office at least 3 days before engaging in each activity for the first time in a calendar year. Specifically, MIT International of LA, Inc., filed an incomplete application consisting of an NRC Form 241 on January 1, 2023, and performed work at two locations offshore in the Gulf of Mexico. MIT International of LA, Inc., did not submit a copy of its Agreement State radioactive materials license and the appropriate fee until January 11, 2023. Since work was scheduled to be performed on January 2, 2023, the licensee was required to provide this information to the NRC by December 30, 2022.

This is a Severity Level IV violation (NRC Enforcement Policy, Section 6.9).

The NRC has concluded that information regarding: (1) the reason for the violation; (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 the cover letter and in Enclosure 2.

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-23-048," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Director, Division of Radiological Safety and Security, 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.

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 26th day of August 2024

**U.S. NUCLEAR REGULATORY COMMISSION  
REGION IV**

Docket No. 150-00017

License No. 10 CFR 150.20

Report No. 2023-001

EA No. EA-23-048

Licensee: MIT International of LA, Inc.

Location Inspected: In-office review only

Inspection Dates: January 2, 2023 – April 2, 2024

Exit Meeting Date: Unable to contact the Radiation Safety Officer/owner

Inspector: Casey Alldredge, Health Physicist  
Materials Licensing Branch  
Division of Radiological Safety and Security

Approved by: Neil F. O’Keefe, Chief  
Materials Licensing Branch  
Division of Radiological Safety and Security

Attachment: Supplemental Inspection Information

## **EXECUTIVE SUMMARY**

### **MIT International of LA, Inc. NRC Inspection Report 150-00017/2023-001**

#### **Program Overview**

MIT International of LA, Inc., (MIT or licensee) is authorized under the State of Louisiana Department of Environmental Quality License No. LA-12238-L01, to possess and use byproduct material, including Cobalt-60, Iridium-192 and Selenium-75, for industrial radiography operations. As of January 11, 2023, MIT was authorized to perform these same licensed activities at temporary job sites in offshore waters under a general license pursuant to 10 CFR 150.20. (Section 1)

#### **Inspection Findings**

One violation was identified involving MIT's failure to file an initial NRC Form 241, provide a copy of their agreement state license, and pay the required reciprocity fee prior to performing licensed activities in offshore waters for calendar year 2023. This violation was identified when the licensee submitted several NRC Form 241s to the NRC prior to completing the initial reciprocity request process for 2023. The NRC determined that the licensee performed licensed activities in offshore waters on January 2, 3, and 8, 2023 prior to their approval by the NRC. (Section 2)

#### **Corrective Actions**

MIT restored compliance by submitting the appropriate information, to include the NRC Form 241, Agreement State License and required reciprocity fee to the NRC on January 10, 2023. The NRC subsequently granted the reciprocity request in a letter dated January 11, 2023. MIT also requested to terminate its State of Louisiana Radioactive Materials License. The State of Louisiana terminated the MIT license on May 28, 2024. (Section 3)



## REPORT DETAILS

### 1 Program Overview (87121)

#### 1.1. Program Scope

MIT International of LA, Inc., (MIT or licensee) is authorized under the State of Louisiana Department of Environmental Quality License No. LA-12238-L01, to possess and use byproduct material, including Cobalt-60, Iridium-192 and Selenium-75, for industrial radiography operations at temporary job sites in the State of Louisiana.

After the NRC received MIT's initial NRC Form 241 and reciprocity fee for calendar year 2023 on January 11, 2023, MIT became authorized to perform industrial radiography operations at temporary job sites under a general license pursuant to 10 CFR 150.20, "Recognition of Agreement State Licenses."

#### 1.2. Observations and Findings

Upon reviewing the information initially submitted by the licensee notifying NRC of work locations and dates of work in offshore waters, the regional license reviewer discovered that MIT had not paid the reciprocity fee or provided a complete initial reciprocity application prior to work being performed in CY2023.

### 2 Inspection Findings (87121)

#### 2.1 Inspection Scope

On Sunday, January 1, 2023, the licensee emailed NRC Region IV an initial reciprocity request, dated January 1, 2023, stating that it intended to conduct licensed activities in offshore waters from January 2 through January 6, 2023. Upon returning work from the holiday, the license reviewer emailed the licensee on January 3, 2023, informing the licensee that the appropriate reciprocity fee must be paid prior to performing radiography operations in offshore waters. On January 10, 2023, the licensee submitted an amendment notification to perform radiography operations on January 8, 2023. The license reviewer confirmed with the licensee that the work was performed prior to receiving approval for reciprocity.

#### 2.2 Observation and Findings

On January 3, 2023, while reviewing the request, the license reviewer determined that MIT had not completed an initial reciprocity application for 2023 and contacted the Operations Manager. MIT stated that they thought they had paid the reciprocity fee. The Operations Manager provided a copy of their Agreement State license and the reciprocity fee on January 10, 2023, and January 11, 2023, respectively. On January 10, 2023, the license reviewer inquired about the location of the byproduct material and was told it had already been transported away from the temporary job site in offshore waters and the requested work was performed. The license reviewer informed the RSO that they were not yet authorized to possess or use the source in offshore waters and confirmed that it was properly stored and secured until the necessary request was made and approved. On January 11, 2023, the NRC approved the reciprocity requests.

Title 10 CFR 150.20(a)(1) requires, in part, that any person who holds a specific license from an Agreement State is granted a general NRC license to conduct the same activity in offshore waters subject to the provisions of 10 CFR 150.20(b).

Title 10 CFR 150.20(b)(1) requires, in part, that any person engaging in activities in offshore waters shall, at least 3 days before engaging in each activity for the first time in a calendar year, file a submittal containing an NRC Form 241, "Report of Proposed Activities in Non-Agreement States," a copy of its Agreement State specific license, and the appropriate fee as prescribed in 10 CFR 170.31 with the Regional Administrator of the appropriate NRC regional office.

Contrary to the above, on January 2, 3, and 8, 2023, MIT, a licensee of the State of Louisiana, engaged in activities in offshore waters without filing a submittal containing an NRC Form 241, "Report of Proposed Activities in Non-Agreement States," a copy of its Agreement State specific license, and the appropriate fee with the Regional Administrator of the Region IV office at least 3 days before engaging in each activity for the first time in a calendar year. Specifically, MIT filed an incomplete application consisting of an NRC Form 241 on January 1, 2023, and performed work at two locations offshore in the Gulf of Mexico. MIT did not submit a copy of its Agreement State radioactive materials license and the appropriate fee until January 11, 2023. Since work was scheduled to be performed on January 2, 2023, the licensee was required to provide this information to the NRC by December 30, 2022.

The failure to file an initial NRC Form 241 prior to engaging in licensed activities in offshore waters was identified as a violation of 10 CFR 150.20(b)(1).  
(150-00017/2023-001-01)

In addition, the NRC Office of Investigations conducted an investigation to determine whether licensee personnel willfully allowed radiography work to be performed in offshore waters prior to filing the required documents. Based on the evidence developed during the investigation, the concern that licensee personnel willfully allowed radiography work to be performed in offshore waters prior to filing the required documents was not substantiated.

### 2.3 Conclusions

The NRC identified one violation regarding MIT's failure to file an initial NRC Form 241 for calendar year 2023, provide a copy of their agreement state license and pay the reciprocity fee, prior to engaging in licensed activities in offshore waters beginning on January 2, 2023, as required by 10 CFR 150.20(b)(1).  
(150-00017/2023-001-01)

### **3 Corrective Actions**

The Operations Manager for MIT stated that he had misunderstood the requirement to send in the initial NRC Form 241 at the beginning of calendar year 2023, as he was new to the position and thought the company had paid the appropriate reciprocity fee. MIT corrected this violation by submitting the appropriate information, to include the Agreement State License and required reciprocity fee to the NRC on January 11, 2023. Additionally, on September 12, 2023, MIT informed the NRC that they did not intend to renew its state license. The State of Louisiana terminated the MIT license on May 28, 2024.

#### **4 Exit Meeting Summary**

The NRC was unsuccessful in contacting the RSO/owner on multiple occasions to schedule a telephonically at the conclusion of the final exit briefing.

**SUPPLEMENTAL INSPECTION INFORMATION**

PARTIAL LIST OF PERSONS CONTACTED

Craig Viator, Radiation Safety Officer  
Benny Wiley, Operations Manager

INSPECTION PROCEDURES USED

87121 Industrial Radiography

ITEMS OPENED, CLOSED, AND DISCUSSED

Opened/Closed

150-00017/2023-001-01	VIO	The failure to file an initial NRC Form 241 prior to engaging in licensed activities in offshore waters.
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Discussed

None

LIST OF ACRONYMS USED

ADAMS	Agencywide Documents Access and Management System
CFR	<i>Code of Federal Regulations</i>
MIT	MIT International of LA, Inc.
NRC	U.S. Nuclear Regulatory Commission
RSO	Radiation Safety Officer