



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

April 20, 2026

EAO-RI-2026-0010

Charbel Nabhan, Principal Engineer  
Engineering and Testing Services Inc.  
5226 Indian River Road, Suite 103  
Virginia Beach, Virginia 23464

**SUBJECT: NOTICE OF VIOLATION - ENGINEERING AND TESTING SERVICES, INC. –  
NRC INSPECTION REPORT 150-00045/2026001**

Dear Charbel Nabhan,

This letter refers to our remote non-routine inspection conducted between January 8-13, 2026, related to your performance of activities conducted under your Commonwealth of Virginia license at the Norfolk Naval Shipyard, an area of exclusive federal jurisdiction. Based on the results of this review, the NRC identified one apparent violation (AV) of NRC requirements involving the failure by Engineering and Testing Services, Inc. (ETS) to file for reciprocity or to apply for and receive a specific license from the NRC prior to performing work in an area of exclusive federal jurisdiction.

NRC staff discussed the AV with you during a telephonic exit briefing on February 24, 2026, and described the AV in NRC Inspection Report No.150-00045/2026001 that was issued on February 25, 2026 ([ML26048A154](#)<sup>1</sup>). In the letter transmitting the inspection report and AV, we provided you with the opportunity to address the AV identified in the report by either attending a pre-decisional enforcement conference or by providing a written response before we made our final enforcement decision. In a letter dated March 20, 2026 ([ML26089A094](#)), you provided a response to the AV in which you described your corrective actions.

Based on the information developed during the inspection and the information that you provided in your response to the inspection report dated March 20, 2026, the NRC has determined that a violation of NRC requirements occurred. The violation, which is cited in the enclosed Notice of Violation (Notice), involved ETS's failure to file for reciprocity or to apply for and receive a specific license from the NRC prior to performing work in an area of exclusive federal jurisdiction for calendar years 2024 through 2025. Title 10 of the *Code of Federal Regulations* (10 CFR) Part 150.20(b)(1) requires that any person who holds a specific license from an Agreement State, shall, at least 3 days before engaging in each activity for the first time in a calendar year in areas of exclusive Federal jurisdiction, file a submittal containing an NRC Form 241,

<sup>1</sup>NRC Agencywide Documents Access and Management System (ADAMS) Accession Numbers listed in this letter may be accessible using the hyperlink below with the associated ADAMS Accession Number inserted in place of the "ML" at the end: <https://www.nrc.gov/docs/ML>

"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 U.S. Nuclear Regulatory Commission Regional Office listed on the NRC Form 241 and in Appendix D to 10 CFR Part 20 for the Region in which the Agreement State that issued the license is located.

The NRC considers ETS's failure to file for reciprocity to be of moderate significance because it occurred on numerous occasions such that NRC staff were not informed of activities occurring within the NRC's jurisdiction and, consequently, were not provided an opportunity to inspect the activities. Section 6.9.c.2.(c) of the NRC Enforcement Policy includes a Severity Level III (SL III) example violation for failure to submit an initial NRC Form 241, "Report of Proposed Activities in Non-Agreement States," as required by 10 CFR 150.20, "Recognition of Agreement State Licenses." Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at SL III.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$9,000 is considered for a SL III violation. Because your facility has not been the subject of escalated enforcement action within the last two years, 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 Enforcement Policy. The NRC concluded that credit is warranted for ETS's corrective actions taken to address the violation. Specifically, on January 2, 2026, ETS promptly filed for reciprocity with the NRC for calendar year 2026 and was approved on January 5, 2026.

Therefore, to encourage prompt and comprehensive correction of violations, and in recognition of the absence of previous escalated enforcement action, 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 SL III violation constitutes escalated enforcement action that may subject you to increased inspection effort.

The NRC has concluded that the following information is already adequately addressed on the docket in NRC Inspection Report No. 150-00045/2026001 and in your letter dated March 20, 2026: (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. 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, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's Agencywide Document 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. If personal privacy or proprietary information is necessary to provide an acceptable response, 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 withholding of such information, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (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). The NRC also includes significant enforcement actions on its Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/current.html>.

If you have any questions related to this matter, please contact Monica Ford of my staff at (610) 337-5214, or via electronic mail at [Monica.Ford@nrc.gov](mailto:Monica.Ford@nrc.gov).

Sincerely,

Raymond R. McKinley  
Acting Regional Administrator

Docket No. 150-00045  
License No. VA-810-463-1

Enclosure: Notice of Violation

cc w/ Enclosure:  
Commonwealth of Virginia

SUBJECT: NOTICE OF VIOLATION - ENGINEERING AND TESTING SERVICES, INC.;  
INSPECTION REPORT 150-00045/2026001 DATED APRIL 20, 2026

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ADAMS Accession Nos.: Pkg ML26098A012, Ltr ML26098A010  
e-Concurrence Case: 20260408-80017

## NOTICE OF VIOLATION

Engineering and Testing Services, Inc.  
Virginia Beach, Virginia

Docket No. 150-00045  
License No. VA-810-463-1  
EAO-RI-2026-0010

During an NRC inspection conducted between January 8-13, 2026, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 30.3(a) requires, in part, that except for persons exempt as provided in 10 CFR Parts 30 and 150, no person shall manufacture, produce, transfer, receive, acquire, own, possess, or use byproduct material except as authorized in a specific or general license issued pursuant to the regulations in 10 CFR Part 30.

10 CFR 150.20(a) states, in part, that any person who holds a specific license from an Agreement State is granted an NRC general license to conduct the same activity in non-Agreement States 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 non-Agreement States, or in areas of exclusive Federal jurisdiction within an Agreement State, 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, with the Regional Administrator of the appropriate NRC regional office.

Contrary to the above, between May 13, 2024 and September 23, 2025, Engineering and Testing Services, Inc., which is authorized for possession and use of radioactive material under a Commonwealth of Virginia license, used byproduct material within NRC jurisdiction on at least 28 occasions without a specific license issued by the NRC and without having submitted a Form 241 and the required fee for calendar years 2024 and 2025 with the Regional Administrator of the appropriate NRC regional office. Specifically, Engineering and Testing Services, Inc., performed nuclear portable gauge work in areas of exclusive Federal jurisdiction and did not submit an NRC Form 241 (or equivalent) or obtain an NRC license for those activities.

This is a Severity Level III violation (Enforcement Policy Example 6.9.c.2.(c))

The NRC has concluded that the following information is already adequately addressed on the docket in your letter dated March 20, 2026: (1) the reason for the violation, (2) the corrective actions taken and planned to correct the violation and prevent recurrence, and (3) the date when full compliance will be achieved. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, (EAO-RI-2026-0010)", 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, Region I, 475 Allendale Road, Suite 102, King of Prussia, PA, 19406-1415, and emailed to [R1Enforcement@nrc.gov](mailto:R1Enforcement@nrc.gov) within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

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 Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 20<sup>th</sup> day of April, 2026