



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 14, 2026

EAF-RIV-2025-0169
NMED Item 240089

Lt. Col. Adam Pfannenstein
The Department of the Air Force
Air Force Medical Command (AFMEDCOM)
7700 Arlington Blvd; AFMEDCOM/SGO3PB
Falls Church, Virginia 22042

SUBJECT: CONFIRMATORY ORDER RELATED TO NRC REACTIVE INSPECTION
REPORT 030-28641/2024-001 AND INVESTIGATION REPORT OI-RIV-2024-
0013 – DEPARTMENT OF THE AIR FORCE

Dear Lt. Col. Pfannenstein:

A Confirmatory Order (Enclosure 1) is being issued to the Department of the Air Force (DAF) as a result of a successful alternative dispute resolution mediation session. The Confirmatory Order commitments were made as part of a settlement agreement between DAF and the U.S. Nuclear Regulatory Commission (NRC).

The settlement agreement relates to apparent violations of NRC requirements as discussed in NRC Reactive Inspection Report 030-28641/2024-001 and Investigation Report OI-RIV-2024-0013 dated April 20, 2026 (non-publicly available Agencywide Documents Access and Management System [ADAMS] Accession No. ML25364A042 and publicly available ML26110A048). The apparent violations involved the failure to: (1) have and follow written operating and emergency procedures for the panoramic irradiator; (2) have and follow written procedures for inspections and maintenance checks for the panoramic irradiator; (3) have a fire extinguishing system capable of extinguishing a fire without personnel entry into the irradiator building; and (4) provide complete and accurate information to the NRC related to the causal factors analysis for the stuck irradiator source event. Additional apparent violations related to the NRC's security requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material," were also identified.

Our April 20, 2026, letter informed you that the apparent violations were being considered for escalated enforcement action in accordance with the NRC's Enforcement Policy and provided you the opportunity to: (1) attend a predecisional enforcement conference or (2) participate in an alternative dispute resolution mediation session in an effort to resolve these concerns. In response to our letter, you requested alternative dispute resolution. An alternative dispute resolution mediation session was held on July 22-23, 2026, and a preliminary settlement agreement was reached. The elements of that agreement, formulated and agreed to at the mediation session, are incorporated in the Confirmatory Order.

Based on the actions DAF committed to take, as described in the Confirmatory Order, the NRC will not issue a Notice of Violation and will not issue an associated civil penalty for the apparent violations discussed in our letter dated April 20, 2026. The NRC recognizes the extensive

corrective actions that DAF has already implemented, and is in the process of implementing, associated with the apparent violations. The NRC is satisfied that its concerns will be adequately addressed based on your corrective actions and the legally binding commitments that DAF will implement as documented in the Confirmatory Order. As evidenced by the signed "Consent and Hearing Waiver Form" (Enclosure 2), dated September 10, 2026, DAF has agreed to the issuance of the Confirmatory Order.

Pursuant to Section 223 of the Atomic Energy Act of 1954, as amended, any person who willfully violates, attempts to violate, or conspires to violate, any provision of the Confirmatory Order shall be subject to criminal prosecution, as set forth in that section. Violation of the Confirmatory Order may also subject the person to civil monetary penalties.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter and its enclosures will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. The Confirmatory Order will be published in the *Federal Register*. The NRC also includes Confirmatory Orders on its website at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

Sincerely,



Signed by Jamie Pelton on 09/14/26

Jamie Pelton
Chief Nuclear Materials Inspector

Docket No. 030-28641
License No. 42-23539-01AF

Enclosures:

1. Confirmatory Order
2. Consent and Hearing Waiver Form

CONFIRMATORY ORDER MODIFYING LICENSE - NRC INSPECTION REPORT
030-28641/2024-001 AND INVESTIGATION REPORT OI-RIV-2024-0013, DEPARTMENT OF
THE AIR FORCE - DATED SEPTEMBER 14, 2026

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ADAMS Accession Nos.:

PKG: ML26257A402

MAIN: ML26225A308

e-Concurrence Case: 20260813-01875

Department of the Air Force

**CONFIRMATORY ORDER
MODIFYING LICENSE**

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	Docket No. 030-28641
DEPARTMENT OF THE AIR FORCE	)	
AIR FORCE MEDICAL COMMAND	)	License No. 42-23539-01AF
	)	
	)	EAF-RIV-2025-0169

CONFIRMATORY ORDER MODIFYING LICENSE
(EFFECTIVE UPON ISSUANCE)

I

The Department of the Air Force, Air Force Medical Command (DAF or the licensee) is the holder of Master Materials License (MML) No. 42-23539-01AF, issued by the U.S. Nuclear Regulatory Commission (NRC or Commission) pursuant to Part 30 of Title 10 of the *Code of Federal Regulations* (10 CFR). The license authorizes DAF to issue byproduct, source, and special nuclear material permits throughout the U.S. for civilian use of radioactive materials in DAF operations.

This Confirmatory Order (CO) is the result of an agreement reached during an Alternative Dispute Resolution (ADR) mediation session conducted on July 22 and 23, 2026.

II

On April 20, 2026, the NRC issued Reactive Inspection Report 030-28641/2024-001 and Investigation Report OI-RIV-2024-0013, Agencywide Documents Access and Management System (ADAMS) Accession No. ML25364A042 (publicly available version available at ADAMS Accession No. ML26110A048) to DAF. The reactive inspection and investigation were

conducted by the NRC to evaluate the circumstances related to NRC Event Number 57007, which involved a category 1 cobalt-60 sealed source at the panoramic irradiator at Kirtland Air Force Base (KAFB), which became stuck in an unshielded position. The inspection report and investigation report documented the identification of apparent violations that were considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The apparent violations involved the failure to: (1) have and follow written operating and emergency procedures for the panoramic irradiator; (2) have and follow written procedures for inspections and maintenance checks for the panoramic irradiator; (3) have a fire extinguishing system capable of extinguishing a fire without personnel entry into the irradiator building; and (4) provide complete and accurate information to the NRC related to the causal factors analysis for the stuck irradiator source event. Additional apparent violations related to the NRC's security requirements in 10 CFR Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material," were also identified and were considered for escalated enforcement action.

By letter dated April 20, 2026, the NRC notified DAF of the results of the inspection and provided DAF with an opportunity to: (1) attend a predecisional enforcement conference or (2) participate in an ADR mediation session in an effort to resolve these concerns.

In response to the NRC's offer, DAF requested the use of the NRC ADR process to resolve differences it had with the NRC. On July 22 and 23, 2026, the NRC and DAF met in an ADR session mediated by a professional mediator, arranged through Cornell University's Institute on Conflict Resolution. The ADR process is one in which a neutral mediator, with no decision-making authority, assists the parties in reaching an agreement to resolve any differences regarding the dispute. This Confirmatory Order is issued pursuant to the agreement reached during the July 22-23, 2026, ADR process.

III

During the ADR mediation session, DAF and the NRC reached a preliminary settlement agreement.

The NRC recognizes the extensive corrective actions that DAF has already implemented, and is in the process of implementing, associated with the apparent violations. For example, DAF increased the inspection frequency of the Air Force Research Laboratory (AFRL) irradiator permit at KAFB to annual. The DAF also initiated revisions to certain conditions of all irradiator permits that require Radioisotope Committee (RIC) review and approval, including service and maintenance on an irradiator, changes to the security plan, and notification of any irregular conditions. DAF is making extensive procedural and training enhancements and is taking steps to improve equipment reliability by establishing a panel of subject matter experts to review design modifications and maintain change history for the KAFB irradiator and its control panel.

Additional commitments made in the preliminary settlement agreement, as signed by both parties, consist of the following:

A. Within 365 days of the issuance date of the Confirmatory Order, DAF will:

1. revise its procedures associated with RIC responsibilities to require that the RIC Secretariat (RICS) review and advise the RIC on all incidents or mishaps involving radioactive material (RAM) or special situations involving RAM as requested by the RIC, Air Staff, or Major Commands;

2. revise its procedures associated with investigating radioactive materials incidents and mishaps to include timeframes for the RICS to be onsite for response, for developing a sequence of events, evaluating the permit program, and assessing the cause of the event. The procedures shall include a description of how the RICS will interface with the Air Force Inspection Agency (AFIA) inspector during any reactive inspections; and
3. revise its procedures associated with RICS responsibilities to require AFRL to administer the annual safety reviews for irradiator staff required by 10 CFR 36.51(d) and the tests required by 10 CFR 36.51(g). DAF will ensure that the safety reviews and tests incorporate lessons learned from the 2024 stuck source and associated events.

B. Within 180 days of the issuance date of the Confirmatory Order, DAF will:

1. establish or update the irradiator permit procedures for reporting in accordance with 10 CFR 36.83, "Reports", and maintaining records in accordance with 10 CFR 36.81, "Records and retention periods";
2. identify exceptions to procedures for the panoramic irradiator that would require approval in writing from the RICS in accordance with existing permit conditions, and incorporate the exceptions into appropriate procedures; and
3. tie the device safety evaluation to the AFRL irradiator permit and submit the device safety evaluation to the NRC for review.

C. Within 365 days of the issuance date of the confirmatory order, DAF will:

1. distribute to each Permittee, Permit Radiation Safety Officer (PRSO) and Alternate PRSO (APRSO), and employees and contractors that perform work under MML permits, a notice that describes that during the stuck source event, the PRSO directed staff to perform work without procedures, and did so deliberately even though they knew the work required procedures, and that the work was prohibited by the Radiation Safety Plan and Permit. The notice shall describe that the work caused the source to become stuck out of the shield for 5 additional months, and that a questioning attitude could have resulted in a different outcome.

The notice shall reference Department of the Air Force Manual (DAFMAN) 40-201 Chapter 6 (Willful Violations) and highlight the importance of questioning attitudes for radiation safety. DAF will verify that permittees have reviewed the notice.

2. incorporate elements of the NRC's Safety Culture Policy Statement and associated resources into DAFMAN 40-201 and establish a requirement that permittees provide training on the updated policy and the Safety Culture expectations to each PRSO, APRSO, and staff that perform work under MML permits; and
3. establish/update a procedure that lists items the RICS is expected to communicate with the NRC Project Manager on a periodic basis.

D. Within 365 days of the issuance date of the Confirmatory Order, DAF will establish/update procedure(s) that detail protocols for the RIC to direct investigations of RAM incidents and mishaps. The procedure(s) shall:

1. include the methods the RICS will use to communicate with Air Force leadership and the RIC Chairs so that priority is assigned and resources for incidents and mishaps are obtained;
 2. establish timeframes for required or periodic updates to the NRC and methods to document as-found conditions for the incident or mishap;
 3. establish when and how restrictions can be placed on permittees;
 4. establish how the RIC will advise and provide written approval for the RICS to conclude the investigation;
 5. establish the responsibilities of both the RICS and RIC to review the root cause analysis prior to closing an incident/mishap investigation; and
 6. establish the responsibilities of both the RICS and RIC to review and approve corrective actions, as appropriate.
- E. Within 2 years of the issuance date of the Confirmatory Order, DAF will establish an operations and configuration manual and schematic for the irradiator control console that identifies equipment, cables, electronics, components and standard configuration needed for normal irradiator operations. The operations and configuration manual and schematic will explicitly identify which maintenance activities may be performed by irradiator staff without notification of the RICS.
- F. Within 180 days of the issuance date of the Confirmatory Order, DAF will establish a procedure to:

1. annually inspect the Emergency Cable System to verify that the condition and configuration are as described in the device safety evaluation;
2. establish a testing protocol for the Emergency Cable System based on the service provider's recommendations and previous Emergency Cable System inspection results; and
3. test the Emergency Cable System for functionality any time the cable is disconnected and reconnected.

G. Within 180 days of the issuance date of the Confirmatory Order, DAF will:

1. establish a method to ensure the required annual inspection and maintenance for the AFRL irradiator is performed by persons specifically authorized to perform these activities by the NRC or by an Agreement State; and
2. for maintenance performed on the device by AFRL staff,
 - a. revise the maintenance procedures with expanded procedural steps instructing staff in what is involved in the task, and how each task should be completed,
 - b. establish procedures that require each person performing maintenance activities to sign off on work they completed, and
 - c. revise procedures to complete the work log used to record general activities or work that occurs infrequently.

H. Within 180 days of the issuance date of the Confirmatory Order, DAF will:

1. include the following statement in the operations, maintenance, and emergency procedures:

“Procedures are expected to be performed as described with the current version of the procedure in-hand. If a procedure is found not to cover the expected activity or the steps cannot be followed as written, the activity shall be stopped, the irradiator shall be placed in a safe condition, and the procedure shall be changed in accordance with the Permit before proceeding with the activity”;

2. establish procedures to monitor and annually verify equipment reliability, such as heat or smoke detectors, or security equipment that is replaced frequently, to determine if that equipment needs upgrading or system changes are needed; and
 3. revise operations, maintenance, and emergency procedures to specify which section in 10 CFR Part 36 is being met by each task, to help ensure staff's technical understanding of procedural requirements.
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- I. Within 180 days of the issuance date of the Confirmatory Order, DAF will submit to the NRC a license amendment request to update License Condition 13 of NRC License No. 42-23539-01AF to describe irradiator activities that shall be performed only by persons specifically licensed to perform these activities by the NRC or by an Agreement State.
 - J. Within 90 days of the issuance date of the Confirmatory Order, all permittees subject to 10 CFR Part 37 will revise their Security Plans to include guidance on temporary security measures to be implemented in the event of security equipment loss.

- K. Within 90 days of the issuance date of the Confirmatory Order, permittees subject to 10 CFR Part 37 will update their required security training to include:
1. lessons learned from the 2024 event, and
 2. topics of security equipment loss due to radiation exposure, staffing needs, and other considerations based upon the updated Security Plan and access control/physical protection systems that are currently in place.
- L. Within 180 days of the issuance date of the Confirmatory Order, the permittee will, for each type of applicable Emergency Procedure described in 10 CFR 36.53(b), document the temporary compensatory security measures that may be used to meet security requirements.
- M. By January 31 of each calendar year 2027 through 2029, licensee will send the NRC a summary of the actions implemented the previous calendar year as a result of the Confirmatory Order.
- N. Until December 31, 2030, licensee will retain a copy of all documentation and records necessary to demonstrate compliance with the conditions of the Confirmatory Order.
- O. Documents that are required to be sent to the NRC as a result of the Confirmatory Order conditions will be sent to the Chief Nuclear Materials Inspector, U.S. Nuclear Regulatory Commission, and by email to R4Enforcement@nrc.gov.
- P. In consideration of the Conditions delineated above, the NRC agrees not to issue a notice of violation and not to impose a civil penalty for the apparent violations

documented in NRC Inspection Report 030-28641/2024-001 to DAF dated April 20, 2026.

Q. In the event of the transfer of the license to another entity, the terms and conditions set forth hereunder shall continue to apply to the new entity and accordingly survive any transfer of ownership or license.

R. The NRC and licensee agree that the above conditions will be incorporated into a Confirmatory Order.

On September 10, 2026, DAF consented to issuing this Confirmatory Order with the commitments, as described in Section V below. DAF further agreed that this Confirmatory Order is to be effective upon issuance, the agreement memorialized in this Confirmatory Order settles the matter between the parties, and that DAF has waived its right to a hearing.

IV

I find that the corrective actions that DAF has already implemented, as described in Section III above, combined with the commitments as set forth in Section V below are acceptable and necessary, and I conclude that with these commitments the public health and safety are reasonably assured. In view of the foregoing, I have determined that public health and safety require that DAF's commitments be confirmed by this Confirmatory Order. Based on the above and DAF's consent, this Confirmatory Order is effective upon issuance.

V

Accordingly, pursuant to Sections 81, 161b, 161i, 161o, 182, and 187 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 30, IT IS HEREBY ORDERED, EFFECTIVE UPON ISSUANCE, THAT LICENSE NO. 42-23539-01AF IS MODIFIED AS FOLLOWS:

A. Within 365 days of the issuance date of the Confirmatory Order, DAF will:

1. revise its procedures associated with RIC responsibilities to require that the RIC Secretariat (RICS) review and advise the RIC on all incidents or mishaps involving radioactive material (RAM) or special situations involving RAM as requested by the RIC, Air Staff, or Major Commands;
2. revise its procedures associated with investigating radioactive materials incidents and mishaps to include timeframes for the RICS to be onsite for response, for developing a sequence of events, evaluating the permit program, and assessing the

cause of the event. The procedures shall include a description of how the RICS will interface with the Air Force Inspection Agency (AFIA) inspector during any reactive inspections; and

3. revise its procedures associated with RICS responsibilities to require AFRL to administer the annual safety reviews for irradiator staff required by 10 CFR 36.51(d) and the tests required by 10 CFR 36.51(g). DAF will ensure that the safety reviews and tests incorporate lessons learned from the 2024 stuck source and associated events.

B. Within 180 days of the issuance date of the Confirmatory Order, DAF will:

1. establish or update the irradiator permit procedures for reporting in accordance with 10 CFR 36.83, "Reports", and maintaining records in accordance with 10 CFR 36.81, "Records and retention periods";
2. identify the actions and situations that are considered exceptions from the panoramic irradiator procedures that require approval in writing from the RICS, and incorporate this written approval requirement into the applicable procedures;
3. submit the device safety evaluation to the NRC for review;
4. revise the AFRL irradiator permit to: (1) update condition 11.A to specify that the authorized use of the panoramic irradiator will be in accordance with the licensee's device safety evaluation, and (2) update the appropriate condition to specify that the possession, use, and maintenance of the panoramic irradiator will be in accordance

with the referenced statements, representation, and procedures contained in the licensee's device safety evaluation.

C. Within 365 days of the issuance date of the confirmatory order, DAF will:

1. distribute to each Permittee, Permit Radiation Safety Officer (PRSO) and Alternate PRSO (APRSO), and employees and contractors that perform work under MML permits, a notice that describes that during the stuck source event, the PRSO directed staff to perform work without procedures, and did so deliberately even though they knew the work required procedures, and that the work was prohibited by the Radiation Safety Plan and Permit. The notice shall describe that the work caused the source to become stuck out of the shield for 5 additional months, and that a questioning attitude could have resulted in a different outcome.

The notice shall reference Department of the Air Force Manual (DAFMAN) 40-201 Chapter 6 (Willful Violations) and highlight the importance of questioning attitudes for radiation safety. DAF will verify that permittees have reviewed the notice.

2. incorporate elements of the NRC's Safety Culture Policy Statement and associated resources into DAFMAN 40-201 and establish a requirement that permittees provide training on the updated policy and the Safety Culture expectations to each PRSO, APRSO, and staff that perform work under MML permits; and
3. establish/update a procedure that lists items the RICS is expected to communicate with the NRC Project Manager on a periodic basis.

D. Within 365 days of the issuance date of the Confirmatory Order, DAF will establish/update procedure(s) that detail protocols for the RIC to direct investigations of RAM incidents and mishaps. The procedure(s) shall:

1. include the methods the RICS will use to communicate with Air Force leadership and the RIC Chairs so that priority is assigned and resources for incidents and mishaps are obtained;
2. establish timeframes for required or periodic updates to the NRC and methods to document as-found conditions for the incident or mishap;
3. establish when and how restrictions can be placed on permittees;
4. establish how the RIC will advise and provide written approval for the RICS to conclude the investigation;
5. establish the responsibilities of both the RICS and RIC to review the root cause analysis prior to closing an incident/mishap investigation; and
6. establish the responsibilities of both the RICS and RIC to review and approve corrective actions, as appropriate.

E. Within 2 years of the issuance date of the Confirmatory Order, DAF will establish an operations and configuration manual and schematic for the irradiator control console that identifies equipment, cables, electronics, components and standard configuration needed for normal irradiator operations. The operations and configuration manual and schematic will explicitly identify which maintenance activities may be performed by irradiator staff without notification of the RICS.

F. Within 180 days of the issuance date of the Confirmatory Order, DAF will establish a procedure to:

1. annually inspect the Emergency Cable System to verify that the condition and configuration are as described in the device safety evaluation;
2. establish a testing protocol for the Emergency Cable System based on the service provider's recommendations and previous Emergency Cable System inspection results; and
3. test the Emergency Cable System for functionality any time the cable is disconnected and reconnected.

G. Within 180 days of the issuance date of the Confirmatory Order, DAF will:

1. establish a method to ensure the required annual inspection and maintenance for the AFRL irradiator is performed by persons specifically authorized to perform these activities by the NRC or by an Agreement State; and

2. for maintenance performed on the device by AFRL staff,
 - a. revise the maintenance procedures with expanded procedural steps instructing staff in what is involved in the task, and how each task should be completed,
 - b. establish procedures that require each person performing maintenance activities to sign off on work they completed, and
 - c. revise procedures to complete the work log used to record general activities or work that occurs infrequently.

H. Within 180 days of the issuance date of the Confirmatory Order, DAF will:

1. include the following statement in the operations, maintenance, and emergency procedures:

“Procedures are expected to be performed as described with the current version of the procedure in-hand. If a procedure is found not to cover the expected activity or the steps cannot be followed as written, the activity shall be stopped, the irradiator shall be placed in a safe condition, and the procedure shall be changed in accordance with the Permit before proceeding with the activity”;

2. establish procedures to monitor and annually verify equipment reliability, such as heat or smoke detectors, or security equipment that is replaced frequently, to determine if that equipment needs upgrading or system changes are needed; and

3. revise operations, maintenance, and emergency procedures to specify which section in 10 CFR Part 36 is being met by each task, to help ensure staff's technical understanding of procedural requirements.
-
- I. Within 180 days of the issuance date of the Confirmatory Order, DAF will submit to the NRC a license amendment request to update License Condition 13 of NRC License No. 42-23539-01AF to describe irradiator activities that shall be performed only by persons specifically licensed to perform these activities by the NRC or by an Agreement State.
 - J. Within 90 days of the issuance date of the Confirmatory Order, all permittees subject to 10 CFR Part 37 will revise their Security Plans to include guidance on temporary security measures to be implemented in the event of security equipment loss.
 - K. Within 90 days of the issuance date of the Confirmatory Order, permittees subject to 10 CFR Part 37 will update their required security training to include:
 1. lessons learned from the 2024 event, and
 2. topics of security equipment loss due to radiation exposure, staffing needs, and other considerations based upon the updated Security Plan and access control/physical protection systems that are currently in place.
 - L. Within 180 days of the issuance date of the Confirmatory Order, the permittee will, for each type of applicable Emergency Procedure described in 10 CFR 36.53(b), document the temporary compensatory security measures that may be used to meet security requirements.

M. By January 31 of each calendar year 2027 through 2029, licensee will send the NRC a summary of the actions implemented the previous calendar year as a result of the Confirmatory Order.

N. Until December 31, 2030, licensee will retain a copy of all documentation and records necessary to demonstrate compliance with the conditions of the Confirmatory Order. Documents that are required to be sent to the NRC as a result of the Confirmatory Order conditions will be sent to the Chief Nuclear Materials Inspector, U.S. Nuclear Regulatory Commission, and by email to R4Enforcement@nrc.gov.

In the event of transfer of the license to another entity, the terms and conditions set forth hereunder shall continue to apply to the new entity and accordingly survive any transfer of ownership or license. The Chief Nuclear Materials Inspector may, in writing, relax or rescind any of the above conditions upon demonstration by DAF or its successors of good cause.

VI

In accordance with 10 CFR 2.202 and 10 CFR 2.309, any person adversely affected by this Confirmatory Order, other than DAF, may request a hearing within thirty (30) calendar days of the date of issuance of this Confirmatory Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Chief Nuclear Materials Inspector, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension.

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the “Guidance for Electronic Submissions to the NRC” (ADAMS Accession No. ML13031A056) and on the NRC’s public website at <https://www.nrc.gov/site-help/e-submittals.html>.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by e-mail at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC’s public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC’s public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered

complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail confirming receipt of the document. The E-Filing system also distributes an e-mail that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>, by e-mail to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)-(d). Participants filing adjudicatory documents in this manner are responsible for serving the documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in

10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at <https://ehd.nrc.gov/>, unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click "cancel" when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the *Federal Register* and served on the parties to the hearing.

If a person (other than DAF) requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Confirmatory Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an order designating the time and place of any hearings. If a hearing is

held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section V above shall be final 30 days from the date of this Confirmatory Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section V shall be final when the extension expires if a hearing request has not been received.

For the Nuclear Regulatory Commission

A handwritten signature in cursive script, appearing to read "Jamie Pelton".

Signed by Jamie Pelton on 09/14/26

Jamie Pelton
Chief Nuclear Materials Inspector
Office of Nuclear Materials Safety and Safeguards

Dated this 14th day of September 2026

CONSENT AND HEARING WAIVER FORM

CONSENT AND HEARING WAIVER FORM

DAF hereby agrees to comply with the terms and conditions of this Confirmatory Order arising out of an alternative dispute resolution mediation session on July 22-23, 2026, to be issued relating to Enforcement Action EAF-RIV-2025-0169. This Confirmatory Order will be effective upon its issuance. By signing below, DAF consents to the issuance of the referenced Confirmatory Order, and, by doing so, agrees to waive the right to request a hearing on all or any part of this Confirmatory Order.

MOORE.HEATHER.
Digitally signed by
MOORE.HEATHER.J.1272372078
Date: 2026.09.09 16:03:48 -04'00'

Heather J. Moore
Deputy Assistant Surgeon General for Operations
Office of the Air Force Surgeon General, HQ AFMEDCOM

10 Sept 2026

Date

ROACH.LISA.M.1
Digitally signed by
ROACH.LISA.M.1290883640
Date: 2026.09.10 08:09:56 -04'00'

Lt Col Lisa M. Roach
Deputy Director, Occupational Health Policy
Office of the Deputy Assistant Secretary of the Air Force
(Operational Energy, Safety, and Occupational Health)

10 Sept 2026

Date