



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352
January 6, 2012

EA-11-229

Mr. Daryl Istre
Corporate Radiation Safety Officer
Mistras Group, Inc.
4000 Underwood Road
LaPorte, TX 77571

SUBJECT: NOTICE OF VIOLATION – MISTRAS GROUP, INC.; NRC INSPECTION
REPORT NO. 03035114/2011002(DNMS)

Dear Mr. Istre:

This refers to a U.S. Nuclear Regulatory Commission (NRC) inspection, conducted on August 2 and 3, 2011, at your facility located in East Granby, Connecticut, with continuing in-office review through September 29, 2011. The purpose of the inspection was to determine whether activities authorized under your license were conducted safely and in accordance with NRC requirements. During the inspection, apparent security-related violations of NRC requirements were identified by the NRC inspector. The circumstances surrounding the apparent violations, the significance of the issues, and the need for lasting and effective corrective actions were discussed with you during a telephonic exit meeting on October 12, 2011. Details regarding the apparent violations were provided in NRC Inspection Report No. 03035114/2011002(DNMS) dated October 31, 2011.

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 a letter dated November 16, 2011, you provided a response to the apparent violations.

Based on the information developed during the inspection and the information that you provided in your November 16, 2011, response to the inspection report, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) (Enclosure 1) and the circumstances surrounding it are described in detail in our inspection report dated October 31, 2011.

The Enclosures contain Sensitive Unclassified Non-Safeguards Information. Upon separation, this cover letter is decontrolled.
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D. Istre

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The violation is of concern to the NRC for the reasons stated in Enclosure 2. Therefore, the violation has been categorized, in accordance with the NRC Enforcement Policy, as a Severity Level III violation. In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$7000 is normally considered for each Severity Level III violation. Because your facility has not been the subject of escalated enforcement actions within the last two years, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process described in Section 2.3.4 of the Enforcement Policy. In your response dated November 16, 2011, you outlined the corrective actions that your staff had taken to correct the violation. Based on your corrective actions, as described in Enclosure 2, the NRC has determined that *Corrective Action* credit is warranted.

Therefore, to encourage prompt and comprehensive correction of violations, 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 the reason for the violation, the corrective actions taken and planned to correct the violation and to prevent recurrence, and the date when full compliance was achieved, was adequately addressed on the docket in the inspection report dated October 31, 2011, and in your response dated November 16, 2011. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective action or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice. Additionally, if you choose to respond, please mark your entire response "Security-Related Information – Withhold from Public Disclosure under 10 CFR 2.390." In accordance with Title 10 of the Code of Federal Regulations (10 CFR) 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for any response to this letter. However, to the extent possible, your response, if any, should not include any personal privacy, proprietary, or safeguards information.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter 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 Web site at <http://www.nrc.gov/reading-rm/adams.html>. However, because of the Security-Related Information contained in the enclosures, and in accordance with 10 CFR 2.390, copies of the enclosures will not be available for public inspection.

D. Istre

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Additionally, the enclosures must be protected from unauthorized disclosure. Security-Related Information is discussed in Regulatory Information Summary RIS-2005-031, "Control of Security-Related Sensitive Unclassified Non-Safeguards Information" (ML053480073), which is available on the NRC Web site.

Sincerely,

/RA by J. Uhle for/

Cynthia D. Pederson
Acting Regional Administrator

Docket No. 030-35114
License No. 12-16559-02

Enclosures:

1. Notice of Violation (Non-Public)
2. Final Determination of Significance (Non-Public)

cc w/encls: State of Connecticut
Connecticut State Police

~~Official Use Only – Security Related Information~~

D. Istre

-3-

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DISTRIBUTION:

See next page

*See previous concurrences

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Non-Publicly Available, Sensitive -- Security-Related Information

OFFICE	RIII	RIII	RIII	D:OE	RIII	RIII
NAME	Lougheed*	McCraw for Bloomer*	Boland*	Zimmerman ¹	Orth Via email	Uhle for Pederson
DATE	12/15/11	12/14/11	12/15/11	01/03/12	01/06/12	01/06/12

OFFICIAL RECORD COPY

1 OE concurrence received via e-mail from K. Day on January 03, 2012.

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Letter to Daryl Istre from Cynthia D. Pederson dated January 6, 2012

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REPORT NO. 03035114/2011002(DNMS)

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