



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

August 13, 2018

EA-18-098

Daniel E. Deavers, Operations Manager
Lehigh Testing Laboratories, Inc.
308 West Basin Road
P.O. Box 903
New Castle, Delaware 19720

SUBJECT: NRC INSPECTION REPORT NO. 03014700/2018001, AND NOTICE OF VIOLATION

Dear Mr. Deavers:

This letter refers to the inspection conducted on June 19, 2018, at your New Castle, DE, facility. This inspection examined activities conducted under your license as they relate to public health and safety, and the common defense and security, and to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. The findings of the inspection were discussed with you on August 8, 2018, at the conclusion of the inspection.

Based on the results of this inspection, the NRC has determined that one security-related Severity Level IV (SLIV) violation of NRC requirements occurred. This violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notices of Violation (Notices) because it was identified by the NRC. You stated to the inspector that the violation occurred because you were unfamiliar with the requirement.

The violation involved security matters which is considered sensitive information. Therefore, details of this violation are not included in this letter, but are provided in non-public enclosures. Namely, the violation is cited in the enclosed, non-public Notice (Enclosure 1), and a description of the violation and your corrective actions is provided in Enclosure 2.

The NRC has concluded that information regarding: (1) the reasons for the violations; (2) the corrective actions taken and planned to correct the violations and prevent recurrence; and, (3) the date when full compliance will be achieved is already adequately addressed on the docket in this letter and the associated enclosures. 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.

Enclosures 1 and 2 contain Sensitive Unclassified Non-Safeguards Information. Upon separation from Enclosures 1 and 2, the transmittal letter is decontrolled.

D. Deavers

2

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter 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 document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. However, Enclosures 2 and 3 contain security-related information in accordance with 10 CFR 2.390(d)(1) and disclosure of that information to unauthorized individuals could present a security vulnerability. Therefore, those enclosures will not be made available electronically for public inspection in the NRC Public Document Room or from ADAMS. To the extent possible, your response should not include any personal privacy, proprietary, security-related, or safeguards information, so that it can be made available to the public without redaction.

If you have any questions regarding this matter, please contact Dennis Lawyer of my staff at 610-337-5366 or via electronic mail at dennis.lawyer@nrc.gov.

Thank you for your cooperation.

Sincerely,

/RA/

Arthur Burritt, Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety

Docket No. 03014700
License No. 07-01173-03

Enclosures:

1. Notice of Violation (non-public)
2. Determination of Severity Level
and Description of Corrective Actions (non-public)

cc w/o Enclosures: State of Delaware

D. Deavers

3

NRC INSPECTION REPORT NO. 03014700/2018001, AND NOTICE OF VIOLATION
DATED August 13, 2018

DISTRIBUTION:

ADAMS (PARS)

J Peralta, OE

N Hasan, OE

S Rodriguez, OE

L Sreenivas, OE

M Burgess, NMSS

R Sun, NMSS

S Holiday, NMSS

J Trapp, NMSS, RI

J Nick, DNMS, RI

A Burritt, DNMS, RI

D Lawyer, DNMS, RI

B Klukan, RI

R1Enforcement

D Bearde, RI

S Villar, RI

Region I OE Files (with concurrences)

DOCUMENT NAME: G:\WordDocs\Current\Insp Letter\L07-01173-03.2018001.Public.docx

SUNSI Review Complete: DLawyer

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" =

Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	OE/RI	N	DNMS/RI			
NAME	DLawyer/drl		Crisden/cjc		ABurritt/alb			
DATE	08/08/18		08/10/18		08/13/18			

OFFICIAL RECORD COPY