



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

March 27, 2019

Jorge Ramos Viruet, CEO
Alonso & Carus Iron Works, Inc.
P.O. Box 566
Carr. 869, Km. 0.9, Bo. Palmas
Catano, Puerto Rico 00963

SUBJECT: ALONSO & CARUS IRON WORKS, INC. - NRC INSPECTION NO.
03020541/2018002 AND NOTICE OF VIOLATION

Dear Mr. Viruet:

This letter refers to the inspection conducted on February 20, 2019, at Alonso & Carus Iron Works, Inc., in Catano, Puerto Rico. This inspection examined activities conducted under your license as they relate to public health and safety, 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 inspection continued in-office until March 11, 2019, and included information gathered during a telephone call with one of your contractors on February 21, 2019. Our inspection findings were discussed with Fernando Martinez of your staff during a telephone inspection exit meeting on March 11, 2019.

Based on the results of this inspection, the NRC has determined that one safety related and two security related Severity Level IV violations of NRC requirements occurred. These violations were 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 violations are cited in the enclosed Notices of Violation (Notice) because the violations were identified by the NRC.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notices when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response to the safety-related violation will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Your response to the two Security-Related violations will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

The enclosure(s) contains Sensitive Unclassified Non-Safeguards Information. Upon separation, this cover letter is DECONTROLLED.
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J. Viruet

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If you have any questions regarding this matter, please contact Jonathan Pfingsten of my staff at 610-337-5170 or via electronic mail at Jonathan.Pfingsten@nrc.gov.

Thank you for your cooperation.

Sincerely,

/RA/

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

Docket No. 030-19882
License No. 52-21350-01

Enclosures:

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

cc w/Encls: Jose Ruiz, Radiation Safety Officer

cc w/o Encls: Commonwealth of Puerto Rico

J. Viruet

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ALONSO & CARUS IRON WORKS, INC. - NRC INSPECTION NO. 03020541/2018002 AND
NOTICE OF VIOLATION DATED March 27, 2019

DOCUMENT NAME: G:\WBL Documents\WBL Inspection Letter\L52-21350-01.2018002.NOV.public.docx
Non-Public Designation Category: MD 3.4 Non-Public A.3 (A.3 - A.7 or B.1) ML19087A254

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OFFICE	RI:DNMS	RI:DNMS	RI:DNMS		
NAME	JPfingsten/rcr f/	RRagland/rcr	ABurritt/alb		
DATE	03/26/19	03/26/19	03/27/19		

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Alonso & Carus Iron Works, Inc.
Catano, Puerto Rico

Docket No. 03020541
License No. 52-21350-01

During an NRC inspection conducted on February 20, 2019, and continued in-office until March 11, 2019, one safety related violation of NRC safety requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 71.5(a) requires, in part, that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 171-180.

49 CFR 172.704(c) requires, in part, that a hazmat employee receive initial training, and recurrent training at least once every three years.

Contrary to the above, from 2014 to February 20, 2019, Alonso and Carus Iron Works, Inc., (Alonso & Carus) transported licensed material on public highways and did not provide recurrent training at least once every three years for its hazmat employees. Specifically, following expiration of hazmat training in 2014, one hazmat employee continued to periodically transport licensed materials on public highways to temporary job sites without receiving additional recurrent hazmat training.

As corrective actions, Alonso & Carus committed to ensure that their hazmat employee receive recurrent hazmat training as well as create an electronic tracker to ensure future compliance.

This is a Severity Level IV violation (Enforcement Policy Section 6.3.d).

Pursuant to the provisions of 10 CFR 2.201, Alonso & Carus Iron Works, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Enclosure 1

Notice of Violation

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Alonso & Carus Iron Works, Inc.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction.

However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated This 27th day of March 2019