



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

November 15, 2019

William J. Soucy
President & Radiation Safety Officer
Materials Testing, Inc.
55 Laura Street
New Haven, CT 06512

SUBJECT: NRC INSPECTION REPORT NO. 03019515/2019001, MATERIALS TESTING, INC., NEW HAVEN, CONNECTICUT SITE, AND NOTICE OF VIOLATION

Dear Mr. Soucy:

This letter refers to the inspection conducted on October 22, 2019, at your New Haven, CT facility, and at a temporary job site located in Southington, CT. The inspection was continued in office until October 29, 2019. 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 findings of the inspection were discussed with you by telephone at the end of the inspection on October 29, 2019.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The 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 Notice of Violation (Notice) because the violation was identified by the NRC.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice 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 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>. 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.

If you have any questions regarding this matter, please contact Randolph Ragland of my staff at (610) 337-5083 or via electronic mail at Randolph.Ragland@nrc.gov.

Thank you for your cooperation.

Sincerely,

/RA/

Christopher G. Cahill, Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 030-19515
License No. 06-19909-01

Enclosure:
Notice of Violation

cc w/Encl: State of Connecticut

NRC INSPECTION REPORT NO. 03019515/2019001, MATERIALS TESTING, INC., NEW HAVEN, CONNECTICUT SITE, AND NOTICE OF VIOLATION DATED __November 15, 2019._____

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DATE	11/15/2019	11/15/19			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Materials Testing, Inc.
New Haven, CT

Docket No. 030-19515
License No. 06-19909-01

During an NRC inspection conducted on October 22, 2019, and continued in-office until October 29, 2019, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Amendment 15, Condition 18 A, NRC License 06-19909-01, license application dated May 16, 2012, committed Materials Testing, Inc., to implement and maintain the operating and emergency procedures in Appendix H of NUREG 1556, Vol. 1, Rev. 1, dated November 2001.

Appendix H, NUREG 1556, Vol. 1, Rev. 1, dated November 2001, states that "If personnel dosimetry is provided, never store your TLD or film badge near the gauge."

Contrary to this license condition, during the period from 4/15/2019 to 7/15/2019, Materials Testing, Inc. did not ensure that all dosimetry provided for authorized gauge users was not stored near a portable gauge. Specifically, on at least one occasion, a gauge user stored his/her personnel dosimetry in the trunk of his/her vehicle immediately adjacent to a portable nuclear gauge.

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

Pursuant to the provisions of 10 CFR 2.201, Materials Testing, Incorporated 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.

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 _15th ___ day of November 2019.