



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

May 15, 2020

EA- 20-042

Rusel Arjona, Plant Director
Argos Puerto Rico Corp.
P.O. Box 1477
Vega Alta, PR 00692-1477

SUBJECT: ARGOS PUERTO RICO CORP. - NRC INSPECTION NO. 03031302/2020001
AND NOTICE OF VIOLATION

Dear Mr. Arjona:

This letter refers to the inspection conducted on February 11, 2020, at your Espinosa Dorado, Puerto Rico facility. 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. An exit meeting was held by telephone with Raul Rivera and William Nieves of your staff on May 6, 2020.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation involved a failure to maintain an authorized individual on your NRC license to fulfill the duties and responsibilities of Radiation Safety Officer (RSO). Specifically, after the RSO named on your license left your employment, you did not submit an amendment request to name a new RSO on the license until you were prompted to do so by the NRC. 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.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket. Namely, you submitted an amendment request naming a new RSO, the NRC approved that individual and issued the revised license, and you implemented a new procedure to ensure a more timely replacement of an RSO should this issue reoccur in the future. 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.

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 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 Jonathan Pfingsten of my staff at 610-337-5170 or via electronic mail at Jonathan.Pfingsten@nrc.gov.

Thank you for your cooperation.

Sincerely,

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

Docket No. 030-31302
License No. 52-25066-01

Enclosure:
Notice of Violation

cc w/Encl: William Nieves, Radiation Safety Officer
Commonwealth of Puerto Rico

ARGOS PUERTO RICO CORP. - NRC INSPECTION NO. 03031302/2020001 AND NOTICE
OF VIOLATION DATED MAY 15, 2020

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NOTICE OF VIOLATION

Argos Puerto Rico Corp.
Espinosa Dorado, Puerto Rico

Docket No. 030-31302
License No. 52-25066-01
EA-20-042

During an NRC inspection conducted on February 11, 2020, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition 12 of NRC License No. 52-25066-01, dated December 17, 2017, authorizes a specific individual to fulfill the duties and responsibilities of the Radiation Safety Officer (RSO) for the license.

Contrary to the above, from January 13, 2020, to February 17, 2020, the individual authorized in Condition 12 of the license did not fulfill the duties and responsibilities of RSO for the license. Specifically, the RSO named on the license left the employment with the licensee on January 13, 2020, and Argos Puerto Rico Corp. did not submit an amendment request to name a new RSO until February 17, 2020.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, (EA-20-042)" and send it 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).

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.

If you choose to respond, your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site from the Publicly Available Records component of Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>. 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 15 day of May 2020