

NRC FORM 591M PART 1
(7-2012)
10 CFR 2.201

U.S. NUCLEAR REGULATORY COMMISSION

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED:
ESAB Welding & Cutting Products
2800 Airport Road
Denton, Texas

2. NRC/REGIONAL OFFICE
U.S. Nuclear Regulatory Commission
Region IV, 1600 East Lamar Blvd.
Arlington, Texas 76011-4511

REPORT NO.: 2021-001

3. DOCKET NUMBER

040-38381

4. LICENSE NUMBER

39-35180-01E

5. DATE(S) OF INSPECTION

October 14, 2021

LICENSEE:

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- ☐ 1. Based on the inspection findings, no violations were identified.
- ☐ 2. Previous violation(s) closed.
- ☐ 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, to exercise discretion, were satisfied.

☐ Non-Cited Violation(s) was/were discussed involving the following requirement(s):

- ☒ 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited in accordance with the NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.
(Violations and Corrective Actions)

10 CFR 40.53(b) requires, in part, that each person licensed under 10 CFR 40.52 shall ensure that each product is labeled as required by their license.

Condition 13 of NRC License 39-35180-01E, Amendment 1, dated July 6, 2017, states, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the application dated August 27, 2014, and in letter dated October 27, 2014. This letter states that each electrode will be labeled with a label stating, in part, that the product contains two percent thoriated tungsten. Contrary to this, during the inspection performed on October 14, 2021, the inspector identified two electrodes that were not labeled in accordance with the statement that each product contains two percent thoriated tungsten.

The licensee corrected this by pulling the lot number of these two products on October 15, 2021, and affixing the labels as required on them; these corrective actions were completed on October 22, 2021.

Statement of Corrective Actions

I hereby state that, within 30 days, the actions described by me to the Inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

TITLE	PRINTED NAME	SIGNATURE	DATE
LICENSEE'S REPRESENTATIVE	Kimberly Smith	<i>Kimberly Smith</i>	11/5/2021
NRC INSPECTOR	James L. Thompson	James L. Thompson <small>Digitally signed by James L. Thompson Date: 2021.11.05 11:59:22 -05'00'</small>	11/5/2021
BRANCH CHIEF	Lizette Roldán-Otero, PhD	Lizette Roldan-Otero <small>Digitally signed by Lizette Roldan-Otero Date: 2021.12.17 08:50:27 -06'00'</small>	