

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: RAPOCA ENERGY COMPANY P.O. Box 458 Big Rock, VA 24603		2. NRC/REGIONAL OFFICE USNRC Region 1 475 Allendale Road King of Prussia, PA 19406-1415	
REPORT NUMBER(S) 2004-001			
3. DOCKET NUMBER(S) 030 34760	4. LICENSE NUMBER(S) 45-23438-01	5. DATE(S) OF INSPECTION 11/29/04	

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, NUREG-1600, to exercise discretion, were satisfied.

non-cited violation(s) 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. 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 20.1101(c) requires that the licensee periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, the licensee did not periodically (at least annually) review the radiation protection program content and implementation. Specifically, annual reviews were not conducted for 2001, 2002, or 2003.

The licensee agrees to perform a written program review within 30 days. This program review will be continued and records retained as required.

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	HENRY M. COX	<i>Henry M. Cox</i>	11-29-04
NRC INSPECTOR	KATHY MODES	<i>Kathy D Modes</i>	11-29-04

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(Continued)

License Condition 12.A. requires sealed sources be tested for leakage at intervals not to exceed 6 months. Contrary to the above, between 2/6/03 and 10/12/04, the sealed sources were not tested for leakage, which is a period in excess of 6 months. The licensee plans to leak test in April 2005, ~~at~~ October 2005 and ~~at~~ at required intervals thereafter.

License Condition 14 requires the licensee to conduct a physical inventory every 6 months to account for all sources. Contrary to the above, between 2/6/03 and 10/12/04, physical inventories were not conducted. The licensee will combine the 6 month leak test with the physical inventory.