NRC FORM 591M PART 1
(10-2003)
10 CFR 2.201

U.S. NUCLEAR REGULATORY COMMISSION

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED:	2. NRC/REGIONAL OFFICE
Bear Run Coal Company 7100 East First Blvd. Evansville, IN REPORT 10-01	U.S. Nuclear Regulatory Commission Region III 2443 Warrenville Road Suite 210 Lisle, Illinois 60532-4351

3. DOCKET NUMBER(S)	4. LICENSEE NUMBER(S)	5. DATE(S) OF INSPECTION
030-32790	13-15133-05	8/30/10

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) was/were discussed involving the following requirement(s) and Corrective Action(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)

Licensee's Statement of Corrective Actions for Item 4, above.

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			
NRC INSPECTOR	Kenneth J. Lambert	Kenneth J Lambert	8/30/10

KJL

NRC FORM 591M PART 3
(10-2003) 10 CFR 2.201

Docket File Information

U.S. NUCLEAR REGULATORY COMMISSION

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE	2. NRC/REGIONAL OFFICE
Bear Run Coal Company REPORT NUMBER(S) 10-01	**NRC Region III** **2443 Warrenville Road, Suite 210** **Lisle, Illinois 60532-4351**

3. DOCKET NUMBER(S)	4. LICENSE NUMBER(S)	5. DATE(S) OF INSPECTION
030-32790	13-15133-05	August 30, 2010

6. INSPECTION PROCEDURES USED	7. INSPECTION FOCUS AREAS
87124	03.01 – 03.07

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S)	2. PRIORITY	3. LICENSEE CONTACT	4. TELEPHONE NUMBER
3120	5	Randy Bowman, Plant Manager	812-242-0705

[ ] Main Office Inspection — Next Inspection Date: August 2015

[X] Field Office — 7255 East County Road 600 South, Carlisle, IN

[ ] Temporary Job Site Inspection

PROGRAM SCOPE

This licensee operates a strip coal mine in southern Indiana. The licensee possesses a Thermo Gamma Metrics Model CB-HI bulk material elemental analyzer, containing 10.3 millicuries of californium-252 and 9.8 millicuries of cesium-13, for measuring the elemental composition of its coal. The licensee also possesses three Texas Nuclear generally licensed density gauges: one model 5201 containing 100 millicuries of cesiuim-137; and two model 5202 each containing 350 millicuries of cesium-137. The generally licensed devices were installed this spring in a new preparation plant. The gauges and analyzer were installed by the vendor and maintenance activities are performed by the vendor. The licensee's radiation safety officer is located at the company's Evansville, Indiana office. The licensee's alternate radiation safety officer is located at the mine and is the plant manager.

Performance Observations

The inspector reviewed installation radiation level surveys and leak test records for all gauges and analyzers possessed by the licensee. The plant manager indicated that personnel working near the gauges and analyzer received training from the vendor in June 2010. The inspector toured the locations of the gauges and noted that labels and postings were legible and radiation levels were less than 2 millirem per hour. The coal analyzer was fixed to a conveyer system with the sources secured in the device by a lock on the access doors. Proper lock out procedures were adequately described and interviews of personal indicated an adequate knowledge of radiation safety.