



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

June 30, 2011

Docket No. 03037029
EA No. 11-127

License No. 34-32570-01

Holley F. Baker, II
President
Baker Inspection Group, LLC
413 Applegrove Street, NW, Suite 100
North Canton, OH 44720

SUBJECT: NRC INSPECTION REPORT NOS. 03037029/2011001 and 03037029/2011002,
BAKER INSPECTION GROUP, LLC

Dear Mr. Baker:

On May 10 through 31, 2011, Todd Jackson and Bryan Parker of this office conducted a safety and security inspection of your facilities at ICL-IP Americas (formerly Supresta, US LLC), Gallipolis Ferry, West Virginia and at Bayer Polymers, New Martinsville, West Virginia. The inspection was an examination of your licensed activities as they relate to radiation safety and security and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspectors, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with you and Joseph Wolfe, Radiation Safety Officer, of your organization at the conclusion of the inspection during an exit meeting teleconference on May 31, 2011.

Based on the results of this inspection, one or more apparent violation(s) was/were identified which are being considered for escalated enforcement in accordance with the Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The number of security-related violations is not considered public information due to its sensitive nature, and is provided in the non-public enclosure.

Since your facility has not been the subject of escalated enforcement actions within the last two years or two inspections, a civil penalty may not be warranted in accordance with Section 2.3.4 of the Enforcement Policy, but the final decision will be based on your providing the following:

<p>The enclosed contains Sensitive, Unclassified Non-Safeguards Information. Upon separation, this cover letter is decontrolled.</p>
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H. Baker

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(1) confirmation that the corrective actions previously described to the staff have been or are being taken; (2) a description of the root cause of the apparent violation(s) and a description of the overall facility performance, including the time period of the deficiencies; and, (3) the long-term corrective actions that your facility has committed to in order to prevent recurrence of the issues. During a telephone conference with Mr. Blake Welling of my staff on June 22, 2011, you agreed to provide the additional information described above within 30 days of the date of this letter. Your letter should be marked as "Circumstances and Corrective Actions for Apparent Violation(s) in Inspection Report Nos. 03037029/2011001 and 03037029/2011002," and reference "EA-11-127."

In addition, please be advised that the number and characterization of apparent violation(s) described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. However, the enclosure, and your response, will also not be made publicly available due to the sensitive information contained therein.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications Page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC; How We Regulate; Enforcement**; then **Enforcement Policy**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

Sincerely,

/RA/

Raymond K. Lorson, Director
Division of Nuclear Materials Safety

Enclosure:
Inspection Report Nos. 03037029/2011001 & 03037029/2011002

cc:
State of West Virginia

H. Baker

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(1) confirmation that the corrective actions previously described to the staff have been or are being taken; (2) a description of the root cause of the apparent violation(s) and a description of the overall facility performance, including the time period of the deficiencies; and, (3) long-term corrective actions your facility has committed to prevent recurrence of the issues. During a telephone conference with Mr. Blake Welling of my staff on June 22, 2011, you agreed to provide the additional information described above within 30 days of the date of this letter. Your letter should be marked as "Circumstances and Corrective Actions for Apparent Violation(s) in Inspection Report Nos. 03037029/2011001 and 03037029/2011002," and reference "EA-11-127."

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Sincerely,

/RA/

Raymond K. Lorson, Director
Division of Nuclear Materials Safety

Enclosure:
Inspection Report Nos. 03037029/2011001 and 03037029/2011002

cc:
State of West Virginia

Distribution: See next page

SUNSI Review Complete: BDW (Reviewer's Initials) Non-Public Designation Category: MD 3.4 Non-Public A.3

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