NRC FORM 591M PART 1 (10-2011)* 10 CFR 2.201

U.S. NUCLEAR REGULATORY COMMISSION

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED:	2. NRC/REGIONAL OFFICE
Jack's Branch Coal Company Dba Mammoth Coal Processing P.O. Box 160 Cannelton, West Virginia 25036 REPORT NUMBER 2012-001	**U.S. Nuclear Regulatory Commission** **Region I, 475 Allendale Road** **King of Prussia, Pennsylvania 19406-1415**

3. DOCKET NUMBER	4. LICENSE NUMBER	5. DATE(S) OF INSPECTION
030-37140	47-23091-02	February 8 (on-site) & March 20 (telephone exit), 2012

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) 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 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 20.1101 requires, in part, that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, as of February 8, 2012, the licensee had not reviewed the radiation protection program content and implementation annually. Specifically, since the previous inspection conducted in 2007, the licensee had not reviewed the radiation protection program content and implementation annually. The licensee, on March 20, 2012, committed to initiating corrective action that included a review of their program by a service provider during a scheduled preventive maintenance visit and a separate independent annual review by the regional or corporate safety office.

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	William G. Newsome ANR-RSO	W G Newsome	4-9-2012
NRC INSPECTOR	Shawn W. Seeley, Health Physicist		March 20, 2012
BRANCH CHIEF	Blake Welling	Blake Welling	3/21/2012

SUNSI Review Completed By: /RA/ SSeeley ☒ Public ☒ Non-Sensitive

This document becomes an NRC Official Agency Record once it is signed by the Branch Chief