

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: Swecker Engineering 120 S. Randolph Ave. Elkins, WV 26241 REPORT NUMBER(S) 2012-001	2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region I, 2100 Renaissance Blvd, Suite 100 King of Prussia, Pennsylvania 19406-2713	
3. DOCKET NUMBER(S) 030-30299	4. LICENSE NUMBER(S) 47-24954-01	5. DATE(S) OF INSPECTION June 5, and June 21, 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)

1. 10 CFR 20.1101 requires, in part, that each licensee conduct a periodic review (at least annually) of the radiation protection program content and implementation.


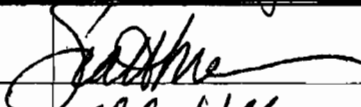

Contrary to the above, between May 2007, and June 5, 2012, Swecker Engineering failed to conduct reviews of the radiation protection program content and implementation, a period greater than annually.

The licensee agreed to complete a review of the radiation protection program content and implementation within 30 days, and implement an automated reminder system to remind the RSO when future reviews are due.

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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 D. Swecker		06/21/12
NRC INSPECTOR	Scott Wilson		6/21/2012
BRANCH CHIEF	Blake Welling		6/21/12

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SUNSI Review Completed By: / RA / SWilson Public Non-Sensitive

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

NRC FORM 591M PART 2 (10-2011) 10 CFR 2.201		U.S. NUCLEAR REGULATORY COMMISSION	
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(Continued)			
<p>2. NRC License 47-23065-01, License Condition 18, requires, in part, that the licensee comply with the regulations in 10 CFR 71.</p> <p>10 CFR Part 71 requires, in part, that each licensee who transports licensed material outside the site of usage, as specified in the NRC license shall comply with the applicable requirements of the DOT regulations in 49 CFR parts 171 through 180 appropriate to the mode of transport.</p> <p>49 CFR 174 requires, in part, that a hazmat employee must receive training at least once every three years.</p> <p>Contrary to the above, on August 26, October 21, and October 24 of 2010, Swecker Engineering transported licensed material outside the site of usage as specified in the NRC license, and its hazmat employee had not completed the required three-year refresher training. Specifically, the hazmat employee was trained in May of 2007, and transported licensed material outside the site of usage on August 26, October 21, and October 24, 2010, a violation of License Condition 18.</p> <p>The RSO stated that he did not fully understand the requirement, and that all hazmat employees would be provided the required refresher training prior to transporting licensed material, and within 30 days of this inspection. The licensee also agreed to implement an automated reminder system to remind the RSO when refresher training is due in the future.</p> <p>3. NRC License 47-23065-01, License Condition 13, requires, in part, that sealed sources be tested for leakage and/or contamination at intervals not to exceed six months or at the intervals specified in the certificate of registration. The certificate of registration for the sealed sources possessed by the licensee require leak testing every 12 months.</p> <p>Contrary to the above, from September 2007 to April 2010, and from April 2010 to June 2012, Swecker Engineering did not leak test the sealed sources in its possession. Specifically, the licensee conducted leak tests in September of 2007 and in April of 2010, and no other leak tests were available for review, which is a violation of License Condition 13.</p> <p>The RSO stated that he was not fully aware of the requirements, and that the sealed source leak testing would be completed prior to using the device, and within 30 days of this inspection. The RSO also agreed to implement an automated reminder system to notify the RSO when leak testing is due in the future.</p>			