

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Allan A. Myers, L.P. 1805 Berks Road Worcester, Pennsylvania 19490 REPORT NUMBER: 2012-001	2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region I, 2100 Renaissance Blvd, Suite 100 King of Prussia, Pennsylvania 19406-2713
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3. DOCKET NUMBER: 030-31824	4. LICENSE NUMBER: 37-28555-01	5. DATES OF INSPECTION 11/08/2012 and 12/13/2012
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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.

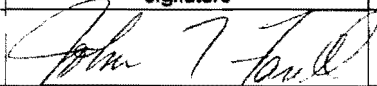
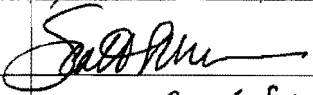

Non-cited violation(s) were discussed involving the following requirement(s) and corrective action(s):

- ☒ 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)

Violations and licensee corrective actions are described on page two of this report.

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	JOHN T FARRELL		12/13/12
NRC INSPECTOR	Scott Wilson		12/13/2012
BRANCH CHIEF	Blake Welling	 for BDW	12/13/2012

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(Continued)

1. 10 CFR 20.1101 requires, in part, that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

10 CFR 20.2102 requires, in part, that each licensee maintain records of the radiation protection program, including records of audits and other reviews of program content and implementation.

Contrary to the above, the licensee did not maintain records of the radiation protection program audits required by 10 CFR 20.2102 for the years 2009 and 2010. Specifically, the licensee produced for review, records of the radiation protection program audit for the year 2011, but was unable to provide the records of program audits for the years 2009 and 2010.

The licensee agreed to document future program reviews of the radiation protection program content and implementation, and to implement a system of reminders to prompt program management to ensure all required documentation is maintained complete, current, and available for review.

This is a Severity Level IV violation (Enforcement Policy Section 6.3(d)).

2. 10 CFR 71.5 (a) requires, in part, that each licensee who transports licensed material on public highways shall comply with the applicable requirements of the regulations found in 49 CFR part 172.

49 CFR 172.704 (d) requires, in part, that a record of current training, inclusive of the preceding three years, shall be created and retained by each hazmat employer for as long as that employee is employed by that employer as a hazmat employee and for 90 days thereafter. The record shall include: (1) The hazmat employee's name; (2) The most recent training completion date of the hazmat employee's training; (3) A description, copy, or the location of the training materials used to meet the requirements in paragraph (a) of this section; (4) The name and address of the person providing the training; and (5) Certification that the hazmat employee has been trained and tested.

Contrary to the above, the licensee transports licensed material on public highways daily and, in February of 2010, the licensee conducted the required hazmat employee training for its hazmat employees; however, the licensee did not create and maintain a record of the training as required by 49 CFR 172.704(d).

The licensee agreed to document future Hazmat employee training as required, and to implement a system of reminders to prompt program management to ensure all required documentation is maintained complete, current, and available for review.

This is a Severity Level IV violation (Enforcement Policy Section 6.8(d)).