



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

June 15, 2016

Docket No. 03036992

License No. 47-31073-01

Steve Dunsmore
Plant Manager
Ashland, Inc.
100 Big Sandy River Road
Kenova, WV 25530

**SUBJECT: NRC INSPECTION REPORT NO. 03036992/2016001, ASHLAND, INC.,
KENOVA, WEST VIRGINIA SITE AND NOTICE OF VIOLATION**

Dear Mr. Dunsmore:

On April 21, 2016, Todd Jackson of this office conducted a safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. Additional information provided in the May 23, 2016, email from your staff and in the telephone conversation on June 3, 2016 between you and this office was also examined as part of the inspection. The findings of the inspection were discussed with you at the conclusion of the inspection.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation involved the failure to periodically (at least annually) review the radiation protection program content and implementation. The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC.

During our telephone inspection exit meeting on June 3, 2016, you indicated that corrective action had been taken in response to the inspection findings. You stated that you have taken corrective and preventative actions to address the violation and that Ashland, Inc. is committed to radiation safety and to compliance with NRC regulations and license conditions. Further, you stated verbally that you have taken the following corrective and preventative actions:

- 1) a review of the radiation safety program was completed on May 20, 2016, and
- 2) future required radiation safety program reviews have been scheduled in a computerized plant task-management system to assure these are completed in a timely manner.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC website at

<http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. 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 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

Please contact Todd Jackson at 610-337-5308 if you have any questions regarding this matter.

Sincerely,

/RA/ BULLrich f/

Blake Welling, Chief
Commercial, Industrial, R&D and Academic
Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Kenny Hann, Radiation Safety Officer
State of West Virginia

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Blake Welling, Chief
Commercial, Industrial, R&D and Academic
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Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Kenny Hann, Radiation Safety Officer
State of West Virginia

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	TJackson\tjj		EUllrich for BWelling			
DATE	6/14/16		6/15/16			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Ashland, Inc.
Kenova, WV

Docket No. 03036992
License No. 47-31073-01

During an NRC inspection conducted on April 21 and in-office review through June 3, 2016, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

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

Contrary to this requirement, the licensee did not review the radiation protection program at least annually. Specifically, as of April 21, 2016, the most recent review of the radiation protection program had been conducted on August 2, 2011, which is more than four years previous.

This is a Severity Level IV violation (Enforcement Policy Section 6.7).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 15th day of June 2016