

September 20, 2016

Note to File:

Subject: Site visit for Black Bear Processing, LLC, Coal Mountain, WV, NRC License Number 47-31252-01

From: Michael Reichard, Health Physicist
Commercial, Industrial, Research and Development, and Academic Branch

A site visit was performed at the request of a license reviewer that had lost contact with the new owners of the Black Bear Processing, LLC location. I went to the site on August 25, 2016. The site is difficult to find and future visits should be made using the GPS coordinates N37.63023, W081.78293. A four wheel drive vehicle with a high clearance is encouraged, because the access road is a steeply inclined, dirt road with frequent potholes.

When I arrived, the site was manned by a mechanic. He explained that there is always someone at the site 24/7. The site is not in operation. The corporate structure is not clear. The new owner is sometimes referred to as Tamas Holdings, and sometimes referred to as Justice Companies.

I toured the site with the mechanic and we located two gauges, which I believe to be the general license gauges. I couldn't get close to the gauges without a cherry picker or some other type device. The devices were clearly marked with "caution radioactive material" signs above them. The gauges also appeared to be chained and padlocked to structures. Radiation levels were indistinguishable from background in the areas I could safely access. The specific license is for elemental analyzers. The locations where elemental analyzers would normally be located were locked and inaccessible.

The mechanic was able to contact Mr. Mark Hoffman, the Safety Director. This is the individual that the license reviewer was working with. Mr. Hoffman informed the mechanic that he was no longer the correct contact person. The mechanic said that we should be working with Zack Wright, their "Compliance Officer." Mr. Wright's office number is 304-252-8528 and the main number for his office is 304-252-1074. Mr. Wright was out of the office on travel, and wasn't going to be available for the remainder of that week.

I reviewed IMC 2800 and concluded that an inspection did not occur. I was not able to view any specifically licensed material, review any procedures or records, or speak with any responsible or cognizant personnel.

I may have started a pre-licensing visit; however, I was not able to obtain adequate information to support issuance of a license. Specifically, I did not obtain information regarding business operations, radiation safety operations, and personnel. Additional follow up would be needed unless the new owners possess an NRC or Agreement State license.

Additional follow up is needed, the nature of which is dependent upon what the license reviewer determines through the licensing process.