

Meadows Stone & Paving, Inc.

PO Box 10
Gassaway, WV 26624
(304)364-5151phone
(304)364-5153fax
www.msipi.us

February 9, 2017

Blade D. Welling, Chief
Commercial, Industrial, R&D and Academic Branch
Division of Nuclear Materials Safety
US Nuclear Regulatory Commission
Region I
2100 Renaissance Boulevard, Suite 100
King Of Prussia, PA 19406-2713

Reply to a Notice of Violation
NRC Inspection Report No. 03012967/2016001
License No. 47-17562-01

Dear Mr. Welling,

I am writing in response to your letter dated January 13, 2017 concerning the inspection of our facilities on December 13, 2016 by Dennis Lawyer. Please find our response to each violation below:

Violation A

The annual review had not been conducted as required simply due to lack of internal control. The annual review for 2016 was performed on December 31st by Matthew Dittman and checked by myself. Reminder notices have been programmed into our computer system so that every year a reminder will be given to perform the annual review. Also, a reminder label has been attached to the door of the room where the gauges are stored.

Violation B

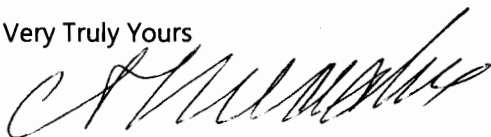
The training for employees who are authorized to transport gauges had been allowed to lapse due to the same lack of internal control that led to violation A. As Mr. Lawyer pointed out to Mr. Dittman during the inspection, if the annual review had been performed then the expiration of the employee's training would have been caught. The employees whose training had lapsed received training on January 17, 2017 by the WV Department of Transportation. The certificates for these employees are attached. In the future, this should not be an issue since the training will be kept up with via the annual review.

Violation C

The emergency response information was not available/included along with shipping papers for moving the gauges because we simply were not aware it was required. The shipping papers that we require our employees to carry when the gauges are transported have been modified to include this information. A sample is attached.

If you have any questions, please feel free to contact myself or Mr. Dittman at the above phone numbers. In addition you may email me at ckmeadows@wvdsi.net or Mr. Dittman at mdittman@wvdsi.net as well.

Very Truly Yours



C. K. Meadows II
President

REC RG 1 02 14 17 AM 07:08

Rec'd
02/14/17

THE CONTRACTORS ASSOCIATION OF WEST VIRGINIA



This is to certify that

Jared Ice

Has increased his or her personal knowledge
and enhanced his or her industry awareness
by successfully completing

**One Day Radiation and Hazardous Material Safety Training
For Using Nuclear Density Gauges**

January 17, 2017


Instructor

THE CONTRACTORS ASSOCIATION OF WEST VIRGINIA



This is to certify that

Jeffrey Moore

Has increased his or her personal knowledge
and enhanced his or her industry awareness
by successfully completing

**One Day Radiation and Hazardous Material Safety Training
For Using Nuclear Density Gauges**

January 17, 2017

A handwritten signature in black ink, appearing to be 'J. B.', written over a horizontal line.

Instructor

THE CONTRACTORS ASSOCIATION OF WEST VIRGINIA



This is to certify that

Michael Goad

Has increased his or her personal knowledge
and enhanced his or her industry awareness
by successfully completing

**One Day Radiation and Hazardous Material Safety Training
For Using Nuclear Density Gauges**

January 4, 2016

A handwritten signature in cursive script that reads 'John Lowley'.

Instructor

THE CONTRACTORS ASSOCIATION OF WEST VIRGINIA



This is to certify that

J.D. Case

Has increased his or her personal knowledge
and enhanced his or her industry awareness
by successfully completing

**One Day Radiation and Hazardous Material Safety Training
For Using Nuclear Density Gauges**

January 3, 2017

Instructor

THE CONTRACTORS ASSOCIATION OF WEST VIRGINIA



This is to certify that

C.K. Meadows

Has increased his or her personal knowledge
and enhanced his or her industry awareness
by successfully completing

**One Day Radiation and Hazardous Material Safety Training
For Using Nuclear Density Gauges**

January 3, 2017


Instructor

THE CONTRACTORS ASSOCIATION OF WEST VIRGINIA




This is to certify that

Kenton Meadows

Has increased his or her personal knowledge
and enhanced his or her industry awareness
by successfully completing

**One Day Radiation and Hazardous Material Safety Training
For Using Nuclear Density Gauges**

January 3, 2017


Instructor

THE CONTRACTORS ASSOCIATION OF WEST VIRGINIA



This is to certify that
Matthew Dittman

Has increased his or her personal knowledge
and enhanced his or her industry awareness
by successfully completing

**One Day Radiation and Hazardous Material Safety Training
For Using Nuclear Density Gauges**

January 3, 2017

Instructor

SHIPPER'S DECLARATION OF DANGEROUS GOODS

Shipper:
 Meadows Stone & Paving, Inc.
 PO Box 10
 80 WV Forest Products Road
 Gassaway, WV 26624
 304-364-5151 phone
 304-364-5153 fax

Page 1 of 1
 Gauge Number: _____
 Date: _____

WARNING
 Failure to comply in all respects with the applicable Dangerous Goods Regulations may be in breach of the applicable law, subject to legal penalties

TRANSPORT DETAILS
 Origin: Gassaway, WV
(gauge is returned to Gassaway, WV nightly)
 Job: _____

Shipment Type: **RADIOACTIVE**

NATURE AND QUANTITY OF DANGEROUS GOODS

RQ, UN3332, Radioactive Material,
 (1) - Type A Package, Special Form, 7
 Cs-137 0.30 GBq/Am-241 1.48 GBq
 All packed in 1 Type A Package
 Yellow II, TI=0.3

Package Dimensions: 78cm X 35cm X 46cm
 Package Weight: 94 LBS

EMERGENCY TELEPHONE NUMBER: 1-304-364-5151 (Meadows Stone & Paving, Inc.)
 1-919-549-9539 (Troxler Electronics 24 Hour Hotline)

I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable International and National Governmental Regulations.

Matthew J. Dittman Safety Officer
 Name/Title of Signatory

Matthew J. Dittman
 Signature

Shipper
 (Check correct box)

Kenton Meadows
 Matthew Dittman
 J. D. Case
 Mike Goad

 Signature of Shipper

APPENDIX F

EMERGENCY RESPONSE INFORMATION EXAMPLE

TROXLER NUCLEAR GAUGE EMERGENCY RESPONSE INFORMATION REQUIRED FOR TRANSPORTATION

Call Troxler Electronic Laboratories, Inc. at (919) 549-9539 for Emergency Assistance.

1. PROPER SHIPPING NAME

- ◆ Radioactive material, Type A package, Special Form, UN3332

POTENTIAL HAZARDS

2. HEALTH HAZARDS

- ◆ Radiation presents minimal risk to lives of persons during transportation accidents.
- ◆ Undamaged packages are safe; damaged packages or materials released from packages can cause external radiation hazards. Contamination is not suspected.
- ◆ Packages (cartons, boxes, drums, articles, etc.) identified as "Type A" by marking on packages or by shipping papers contain non-life endangering amounts. Radioactive sources may be released if packages are damaged in moderately severe accidents.
- ◆ Packages (large and small, usually metal) identified as "Type B" by marking on packages or by shipping papers contain potentially life-endangering amounts. Because of design, evaluation, and testing of packages, life-endangering releases are not expected in accidents except those of utmost severity.
- ◆ Commonly available instruments can detect most of these materials.
- ◆ Water from cargo fire control is not expected to cause pollution.

3. FIRE OR EXPLOSION

- ◆ Packagings can be consumed without content loss from sealed source capsule.
- ◆ Radioactive source capsules and Type B packages are designed to withstand temperatures of 1475 °F (800 °C).

EMERGENCY ACTION

4. IMMEDIATE PRECAUTIONS

- ◆ Priority response actions may be performed before taking radiation measurements.
- ◆ Priorities are life saving, control of fire and other hazards, and first aid.
- ◆ Isolate hazard area and deny entry. Notify Radiation Authority of accident conditions.
- ◆ Delay final cleanup until instruction or advice of Radiation Authority.
- ◆ Positive pressure self-contained breathing apparatus (SCBA) and structural firefighter's protective clothing will provide adequate protection against internal radiation exposure, but not external radiation exposure.

5. FIRE

- ◆ Do not move damaged packages; move undamaged packages out of fire zone.
- ◆ **Small Fires:** Dry chemical, CO₂ water spray or regular foam.
- ◆ **Large Fires:** Water spray, fog (flooding amounts)

6. SPILL OR LEAK

- ◆ **Do not touch damaged packages or spilled material.**
- ◆ Slightly damaged or damp outer surfaces seldom indicate failure of inner container.
- ◆ If source is identified as being out of package, stay away and await advice from Radiation Authority.

7. FIRST AID

- ◆ Use first aid treatment according to the nature of the injury.
- ◆ Persons exposed to special form sources are not likely to be contaminated with radioactive material.