

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Fort Myer Construction Company 2237 33 rd Street, NE Washington, DC 20018-1594 REPORT NUMBER(S) 2016001		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) 03034012		4. LICENSE NUMBER(S) 08-30263-01	
5. DATE(S) OF INSPECTION 11/16/2016 & 04/05/2017			

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)

10 CFR 71.5 (a) requires, in part, that each licensee who transports licensed materials outside the site of usage or where transport is on public highways, shall comply with the applicable requirements of the U.S. Department of Transportation regulations in 49 CFR Parts 170 through 189. 49 CFR 172.602(b) requires, in part, that emergency response information required by 49 CFR 172.602(a) must be available on shipping papers, or in a document, other than shipping papers, and (c) maintained in the same manner as prescribed for shipping papers.

Contrary to the above, on November 16, 2016, Fort Myer Construction Corporation transported a portable gauge to a job site over public roads and did not maintain emergency response information required by 49 CFR 172.602(a) in its source transport vehicle. Specifically, the licensee's transportation paperwork that was immediately available to the driver did not include information that can be used in the mitigation of an incident including information regarding: (1) immediate hazards to health; (2) Risks of fire or explosion; (3) Immediate precautions to be taken in the event of an accident or incident; (4) Immediate methods for handling fires; (5) Initial methods for handling spills or leaks in the absence of fire; and (6) Preliminary first aid measures. This is a Severity Level IV violation (Enforcement Policy Section 6.8).

In response to this finding, Fort Myer Construction Company made multiple copies of Emergency Response Paperwork, and met with each gauge user to emphasize the requirement to maintain emergency response information

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	MARC E. MANDEL	<i>Marc E. Mandel</i>	4/10/17
NRC INSPECTOR	R. C. Ragland, Jr.	<i>R. C. Ragland</i>	4/6/2017
BRANCH CHIEF	Blake Welling	<i>Blake Welling</i>	4/10/17

SUNSI Review Completed By: / RA /

R. C. Ragland



Public



Non-Sensitive