

PART I – LICENSE, INSPECTION, INCIDENT/EVENT AND ENFORCEMENT HISTORY

1. AMENDMENTS AND PROGRAM CHANGES SINCE LAST INSPECTION:

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
3	03/29/2017	License Renewal (including a change of the Radiation Safety Officer (RSO))

2. INSPECTION AND ENFORCEMENT HISTORY:

The last inspection of this licensee was on March 15, 2012. No violations of NRC requirements were identified.

3. INCIDENT/EVENT HISTORY:

No open items or events since the last routine inspection.

PART II – INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

NLMK Indiana is authorized under NRC Materials License No. 13-32628-01 (license) to use licensed material in fixed nuclear gauging devices. The licensee uses the gauges on a daily basis for level measurements in the production of steel products at its steel manufacturing facility in Portage, Indiana. The licensee uses two Ronan Engineering Company Model SA-1 gauges, containing cesium-137, and has two additional fixed gauges in storage. NLMK Indiana employs approximately 350 individuals.

2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: 87124

Focus Areas Evaluated: All

The inspector toured the licensee’s facility to evaluate the licensee’s measures for material security, hazard communication, and exposure control. The inspector observed all gauges in the licensee’s possession, including those in storage, in conjunction with the licensee’s current inventory.

Through interviews with the (then proposed) RSO and assistant RSO, the inspector found that the licensee’s staff was knowledgeable and conscientious of radiation protection principles and licensee procedures for use of fixed gauges. The RSO discussed radiation surveys with respect to the use and storage of gauges, and the inspector verified that the licensee’s two survey instruments (Ludlum) were operational and properly calibrated. Proper lock-out, and shutter mechanism and leak test procedures were also adequately described.

The inspector reviewed a selection of licensee records for inventories, device transfers, leak tests, and shutter mechanism tests, as well as the licensee's training records. No issues were identified. The licensee did not perform any non-routine service or maintenance activities on its gauges; these services were performed by the manufacturer. Licensee statements, confirmed through record reviews, indicated that the gauge manufacturer, Ronan Engineering, routinely provided onsite services to the licensee.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

Using a Thermo Scientific Model RadEye G, calibrated in April 2016, the inspector conducted independent and confirmatory surveys at the location inspected that indicated results consistent with licensee survey records and postings. The inspector found no readings that indicated exposures to members of the public in excess of regulatory limits.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

As a result of the inspection, the inspector identified one violation, involving Condition No. 12.A. of Amendment No. 02 of the license for the licensee's failure to ensure that the individual specifically authorized by Condition 12.A. fulfills the duties and responsibilities of RSO.

Specifically, the individual named on the license as the RSO left the company's employ on an indeterminate date in July 2012, and the company failed to request a license amendment before appointing another qualified individual as the RSO. During the in-office review portion of the inspection, it was determined, based on a review of training and other records, and interviews with licensee personnel, that immediately after the the authorized RSO's departure, an individual who had successfully completed the manufacturer-sponsored 40-hour Radiation Safety Officer training course was assigned by management to carry out the duties and responsibilities of RSO. After an interim period of fulfilling these duties, that is, until October 2012, that individual was subsequently replaced by the licensee's industrial safety engineer, who took over the duties and responsibilities of the RSO after successfully completing the manufacturer-sponsored 40-hour Radiation Safety Officer training course, along with the facility's environmental engineer, who served as a radiation safety assistant. When this individual who had taken on the duties and responsibilities of RSO left the company's employ sometime in February 2016, the individual who had taken on the role of RSO during the interim period from July through October 2012, and was fully qualified by training to serve as RSO, was again assigned by management to be the RSO, with at least one other fully trained individual as back-up. The licensee submitted an application for license renewal dated September 27, 2016, naming (as per their in-house procedure) the facility's industrial safety engineer as the new RSO, upon successful completion of the manufacturer-sponsored 40-hour Radiation Safety Officer training course. The facility's environmental engineer was designated as the assistant RSO in the renewal application. Both individuals successfully completed the RSO training course in October 2016. The RSO was named on Amendment No. 03 of the license, dated March 29, 2017.

The inspector determined that the root cause of the violation was the licensee's misunderstanding that an amendment to the license be sought and obtained, identifying by name, the individual designated to fulfill the duties and responsibilities of RSO.

As corrective action to restore compliance for the violation, the licensee had previously submitted the name of the new proposed RSO in its renewal application dated September 27, 2016. The new RSO was named on Amendment No. 03 to the license, issued on March 29, 2017. A response to the Notice of Violation was requested in order to ensure that the licensee develops appropriate long-term corrective actions relative to this matter.

5. PERSONNEL CONTACTED:

- # H.B. Kincaid, Director of Operations
- # Peter Chimenti, Radiation Safety Officer (RSO), Safety Engineer
- # Richard Saut, PG, Environmental Engineer (assistant RSO)
- # Robert Browne, Safety Director
Adam Munoz, Logistics Manager

- # Attended telephonic exit meeting on April 18, 2017.

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