



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION IV  
1600 E. LAMAR BLVD  
ARLINGTON, TX 76011-4511

April 18, 2018

Mr. Robert Compernelle  
President, FMRI  
FMRI, Inc.  
Number 10 Tantalum Place  
Muskogee, OK 74403

**SUBJECT: FMRI INSPECTION REPORT 040-07580/2018-001 AND NOTICE OF VIOLATION**

Dear Mr. Compernelle:

This letter refers to the U.S. Nuclear Regulatory Commission (NRC) inspection conducted on March 5-6, 2018, at your FMRI site near Muskogee, Oklahoma. The preliminary results of the inspection were presented to your staff at the conclusion of the onsite inspection on March 6, 2018. After additional in-office reviews, the final inspection results were presented to your staff by telephone on March 19, 2018. The enclosed report presents the results of this inspection.

This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation involves your failure to establish an agreement and to have annual meetings with the local fire department. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at (<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>). The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report. The violation is being cited in the Notice in accordance with Section 2.3.2.a of the Enforcement Policy because it was not placed in your corrective action program and you haven't restored compliance in a timely manner.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site 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.

Should you have any questions concerning this inspection, please contact Dr. Robert Evans, Senior Health Physicist, at 817-200-1234, or the undersigned at 817-200-1191.

Sincerely,

*/RA/*

Ray L. Kellar, PE, Chief  
Fuel Cycle and Decommissioning Branch  
Division of Nuclear Materials Safety

Docket 040-07580  
License SMB-911

Enclosures:

1. Notice of Violation
2. NRC Inspection Report 040-07580/2018-001

cc w/encls:

P. Dizikes  
K. Dixon  
M. Broderick  
C. Paden  
S. Hill  
J. Mahoney  
M. Miller  
Asst. Attorney  
G. Brozoski

## NOTICE OF VIOLATION

FMRI  
Muskogee, Oklahoma

Docket No. 40-07580  
License No. SMB-911

During an NRC inspection conducted on March 5-6, 2018, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

NRC Materials License SMB-911, Amendment 13, License Condition 10 states, in part, that the authorized use is for activities related to decommissioning and characterization of contaminated facilities, equipment, land, and maintenance of control over licensed materials in accordance with statements, representations, and conditions contained in the application as supplemented by letter dated July 24, 2003 (re: license transfer). Attachment 4 to the July 24, 2003, letter included a proposed Part B to the license entitled "General License Information."

Attachment 4 to the July 4, 2003 letter, Part B, Section 3.4, "General Safety Procedures," states, in part, that FMRI has defined rules regarding safe radioactive material handling for staff implementation. These rules include the following: (1) Meeting with the Muskogee City Fire Department on an annual basis to discuss potential fire hazards and prevention at the facility; and (2) Maintaining an agreement with the Muskogee City Fire Department that in case of a fire will come to the aid of FMRI.

Contrary to the above, as of March 6, 2018, the licensee failed to have a meeting with the Muskogee City Fire Department on an annual basis to discuss potential fire hazards and prevention at the facility and failed to maintain an agreement with the Muskogee City Fire Department that in case of a fire the Fire Department would come to the aid of FMRI.

This is a Severity Level IV violation (Section 6.3).

Pursuant to the provisions of 10 CFR 2.201, FMRI is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region IV within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation," and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued requiring information as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region IV.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. If Classified Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR Part 95.

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

Dated this 18<sup>th</sup> day of April 2018

**U.S. NUCLEAR REGULATORY COMMISSION  
REGION IV**

Docket: 040-07580

License: SMB-911

Report: 040-07580/18-001

Licensee: FMRI

Location: 10 Tantalum Place, Muskogee, OK 74403

Dates: March 5-6, 2018

Inspectors: Robert Evans, PhD, CHP, PE, Senior Health Physicist  
Fuel Cycle and Decommissioning Branch  
Division of Nuclear Materials Safety

Linda Gersey, Health Physicist  
Fuel Cycle and Decommissioning Branch  
Division of Nuclear Materials Safety

Martha Poston, Health Physicist  
Fuel Cycle and Decommissioning Branch  
Division of Nuclear Materials Safety

Stephanie Anderson, Health Physicist  
Fuel Cycle and Decommissioning Branch  
Division of Nuclear Materials Safety

Approved by: Ray Kellar, PE, Chief  
Fuel Cycle and Decommissioning Branch  
Division of Nuclear Materials Safety

## EXECUTIVE SUMMARY

### FMRI NRC Inspection Report 040-07580/18-001

This U.S. Nuclear Regulatory Commission (NRC) inspection was a routine, announced inspection of decommissioning activities being conducted at the FMRI site near Muskogee, Oklahoma. The inspectors concluded that the licensee was conducting activities in accordance with regulatory and license requirements, with one exception as discussed below.

#### Management Organization and Controls

- The licensee had sufficient staff for the work in progress. The licensee implemented programs for oversight, self-assessment, and corrective action as required by regulations and the license. (Section 1.2)

#### Radiation Protection/Maintenance and Surveillance Testing

- The licensee implemented its radiation protection and maintenance and surveillance programs in accordance with the requirements of 10 CFR Part 20 and the license. (Section 2.2)

#### Effluent Control and Environmental Protection

- The licensee was conducting environmental and effluent monitoring in accordance with license and regulatory requirements. (Section 3.2)

#### Low Level Radioactive Waste Storage/Inspection of Transportation Activities

- The NRC inspectors confirmed that the licensee's program for storing and transporting solid waste material was performed in accordance with license and regulatory requirements. (Section 4.2)

#### Emergency Preparedness/Fire Protection

- The licensee had emergency response and fire protection programs in effect that were appropriate for the current mode of plant operation and for licensee response. The licensee failed to maintain an agreement with the local fire department and failed to have annual meetings to discuss potential fire hazards and prevention at the facility to support fire department response in the event of an emergency at the facility. (Section 5.2)

## Report Details

### Summary of Plant Status

The licensee commenced with Phase 1 decommissioning work in 2005. Phase 1 decommissioning included removal of Work-in-Progress (WIP) residue material from Ponds 2 and 3, and shipment of the material to an out-of-state uranium mill for use as alternate feed material. The licensee started by removing, bagging, and shipping WIP material from Pond 3 in 2005. The removal of WIP material from Pond 3 was completed in 2010.

The licensee began removing WIP material from Pond 2 in August 2011, but suspended this work in December 2011. Since 2011, the licensee conducted bagging and shipping operations on an intermittent basis as funds were available to perform these activities. During 2017, the licensee shipped previously bagged WIP material. At the time of the inspection, the licensee had suspended Phase 1 decommissioning work due to a lack of decommissioning funds.

Since the last inspection, the licensee continued to decontaminate, survey, and free-release scrap material from the facility. The licensee also continued to operate the waste water treatment system in accordance with license requirements. This system processed waste water for eventual release through a monitored outfall. Further, the licensee continued to conduct routine radiological monitoring and surveys in accordance with license requirements.

In accordance with NRC Materials License SMB-911, License Condition 42, the licensee is required to submit an annual update of the decommissioning plan schedule. The licensee submitted the most recent schedule to the NRC on March 5, 2018 (ADAMS Accession No. ML18079A107). The most current schedule indicates that Phase I decommissioning is anticipated to be completed by the end of 2019.

## **1 Management Organization and Controls (88005)**

### **1.1 Inspection Scope**

The inspectors reviewed the licensee's organizational and management controls to ensure that the licensee was maintaining effective oversight of decommissioning activities.

### **1.2 Observations and Findings**

The licensee's organizational requirements are provided in Figure 9-1 of the Decommissioning Plan, referenced in License Condition 10. At the time of the inspection, site staffing consisted of the general manager/operations manager, one radiation protection technician, one laborer, and the part-time radiation safety officer (RSO). The general manager assumed the position of alternate RSO when the primary RSO was not onsite. The general manager reported to the company president who occasionally visited the site. The licensee had established arrangements with a contract firm for supply of laborers should the need arise for additional staff. In summary, site staffing was adequate to ensure compliance with the routine monitoring and maintenance activities as required by the license.

License Conditions 10 and 14 specify the requirements for the radiation safety committee. The licensee's records indicate that the committee met quarterly as required

by the license. Annual program reviews are required by 10 CFR 20.1101(c) and License Condition 10. The annual program review for 2017 was attached to the 4<sup>th</sup> quarter radiation safety committee report. In addition to the 2017 report, the inspectors reviewed the 2016 audit report. The two reports provided useful analyses of the radiation protection program.

The inspectors reviewed the licensee's corrective action program, required to be implemented per the Quality Assurance Program listed in Section 13 of the Decommissioning Plan. The licensee issued several condition reports between January 2017 through March 2018. The inspectors reviewed four condition reports associated with groundwater sample exceedances above the license-specified action level. As required by the license, for each exceedance, the licensee submitted samples to an offsite laboratory for isotopic analysis. None of the sample results for 2017 exceeded the reporting limit specified in the license. The 2018 sample results were not available during the inspection and will be reviewed during a future inspection. In summary, the licensee established and implemented a corrective action program for conditions adverse to quality as described in the Decommissioning Plan.

### 1.3 Conclusions

The licensee had sufficient staff for the work in progress. The licensee implemented programs for oversight, self-assessment, and corrective action as required by regulations and the license.

## **2 Radiation Protection/Maintenance and Surveillance Testing (83822/88025)**

### 2.1 Inspection Scope

The inspectors examined the licensee's radiation protection and maintenance and surveillance programs for compliance with 10 CFR Part 20 and license requirements.

### 2.2 Observations and Findings

The licensee discontinued use of external personnel monitoring devices at the end of 2007 based on historical results and the work activities at this site. The RSO issued a memorandum to file for 2017 noting that operations had not changed since external monitoring was discontinued; therefore, dosimetry monitoring for ongoing activities was not required. The licensee also discontinued the use of personnel lapel air sampler for monitoring internal dose in 2012 based on monitoring results for 2011 and 2012. The inspectors noted that the dose rates measured during bagging of WIP material, approximately 120-130 millirem per year, were below the regulatory limit of 500 millirem per year for individual dose monitoring as specified in 10 CFR 20.1502.

The inspectors reviewed a selection of daily, weekly, bi-weekly, monthly, quarterly, and annual area radiation surveys for calendar year 2017 and the first two months of 2018. The RSO established survey frequencies based on prior history. The RSO posted a summary of required surveys in the laboratory for implementation by the radiological technician. The technician was responsible for conducting surveys at FMRI. The inspectors reviewed completed radiation survey forms, and the majority of the forms were determined to be complete with locations of measurements being specified on the



forms. The inspectors observed that the survey results generally reflected background level values, and the data was reviewed by the RSO as required.

License Condition 33 states that “before releasing any equipment, [the] licensee shall characterize all surfaces, interior and exterior, and remediate all contaminated equipment to the limits of Regulatory Guide 1.86.” The inspectors reviewed the release forms issued between June 2017 through February 2018 for items with potential contamination such as tools, equipment, and vehicles. The inspectors confirmed that the release criteria were met. The inspectors determined that the RSO had reviewed and approved all release survey results of equipment removed from the controlled area.

At the time of the inspection, only two Special Work Permits had been issued since the previous inspection. Special Work Permit 1844 was issued in December 2017 to support the repair of a water line at the ore pad, while Special Work Permit 1865 was issued in June 2017 for packaging of 14 bags of WIP material from Pond 2. The inspectors determined that the permits included adequate radiological sampling requirements, as necessary.

The inspectors reviewed documentation related to calibration of radiation detection equipment. The licensee maintained an adequate number of survey meters to properly monitor for radioactive contamination. Survey meters were calibrated annually by an outside vendor. The most recent sets of calibration occurred in February 2018. The inspectors confirmed that survey instrument calibrations were performed in accordance with industry guidance.

The inspectors reviewed the documentation of training for active site personnel for 2017-2018. Training and qualification memos were issued by the RSO and general manager in 2017 for all current workers. All on-site personnel other than visitors were required to complete general employee training as described in procedure G-005, “General Employee Training,” Revision 1. Levels of training were specified depending on duties of the individual. Any waiver of training requirements based on prior experience must be approved by the general manager. The procedure also required refresher training on an annual basis. Licensee records reflected the completion of annual refresher training in July 2017 by all active employees. Refresher training for 2018 had not been completed at the time of the inspection and will be reviewed during a future inspection.

## 2.3 Conclusions

The licensee implemented its radiation protection and maintenance and surveillance programs in accordance with the requirements of 10 CFR Part 20 and the license.

## **3 Effluent Control and Environmental Protection (88045)**

### 3.1 Inspection Scope

The inspectors reviewed the licensee’s effluent and environmental monitoring programs for compliance with regulatory and license requirements.

### 3.2 Observations and Findings

Section 11.0 of the licensee's Decommissioning Plan described the environmental monitoring program. Plant wastewater was discharged through Outfall 001 while Outfalls 002, 003 and 005 were used for discharge of storm water runoff. All outfalls discharged to the Arkansas River. During 2017, storm water was released three times from Outfalls 002, 003, and 005, and plant waste water was released three times from Outfall 001. Since January 2018, one release had been made from each outfall. Outfall discharges were being managed in accordance with the current State of Oklahoma, Department of Environmental Quality, National Pollutant Discharge Elimination System (NPDES) Permit No. OK0001643.

The licensee was required to collect water samples prior to and during wastewater releases and to sample storm water outfalls during rain events. The licensee compared the sample results to action levels specified in the license. The license established an administrative limit of 25 percent and an action limit of 50 percent of the unrestricted isotopic concentrations for licensed materials, consistent with 10 CFR 20, Appendix B, Table II values for effluents. If the limits for gross alpha or gross beta concentration levels exceeded the action level, then the licensee issued a condition report for tracking purposes and forwarded the sample to the contract laboratory for isotopic analysis of the sample to determine if the release was reportable to the NRC. A review of the licensee's records for January 2017 through March 2018 indicated that all samples were taken in accordance with license requirements, and no releases required a written report be submitted to the NRC.

The groundwater monitoring program is described in Attachment 4 to the letter dated July 24, 2003, referenced in License Condition 10. Nineteen wells and four sumps were used to monitor the groundwater at the site. Each quarterly sample was analyzed for gross alpha and gross beta content. If any sample exceeded the action levels of 15 picocuries per milliliter for gross alpha or 50 picocuries per milliliter for gross beta, then a condition report was generated and the sample was analyzed for uranium and thorium isotopes. During the October 2016 sampling event, 10 water samples exceeded the action levels, and condition reports were generated as required by the license. During the February 2017 sampling event, 15 samples exceeded the action levels, and condition reports were generated as necessary. The inspectors reviewed some of the condition reports and determined that the licensee was implementing the groundwater monitoring program as required by the license.

The licensee conducted airborne effluent monitoring in accordance with Attachment 4 to the letter dated July 24, 2003. The inspectors noted that the licensee routinely sampled airborne radioactivity at six locations, which included four perimeter stations, one background station, and one off-site station. During a site tour, the inspectors observed that the perimeter stations were in operation. The licensee continuously collected airborne particulates at these six locations and analyzed the samples for gross alpha concentrations on a weekly basis. Sample results were reviewed, and the inspectors determined that overall the air samples results were small fractions of the administrative action level of  $2.85\text{E}-14$  microcuries per milliliter. Radon sampling was conducted on a quarterly frequency at eight locations including the environmental stations. All sample results were below the 10 picocuries per liter effluent concentration limit specified in 10 CFR Part 20, Appendix B, for radon-222.

### 3.3 Conclusion

The licensee was conducting environmental and effluent monitoring in accordance with license and regulatory requirements.

## 4 **Low Level Radioactive Waste Storage/Transportation Activities (84900/86740)**

### 4.1 Inspection Scope

The inspectors evaluated the management and transportation of the solid waste program for compliance with license and regulatory requirements.

### 4.2 Observations and Findings

The inspectors reviewed the licensee's storage of WIP material. At the time of the inspection, the licensee was storing bagged WIP material within the Chem C building, but the amount of material was less than the amount needed for a complete shipment. More material would have to be excavated and bagged from Pond 2 prior to future shipments. In addition to the WIP material, the licensee continued to store pilot plant process material in blue storage bags in the Chem C building. This material was created in about 1999. The licensee indicated that it plans to sample and characterize the material, prior to shipping/disposing of these wastes. The inspectors observed that the licensee was not currently storing or staging WIP material in outdoor areas.

The licensee continued to store approximately 2,000 bags of contaminated soil in the Sodium Reduction building. This material originated from the berms of former Ponds 1N, 1S, and 5. The licensee also continued to store about 7,000 cubic yards of potentially contaminated soil in an outdoor area under synthetic liners. The soil was excavated during the construction of the groundwater intercept trench in 1998-1999.

The inspectors observed the status of Pond 2. The WIP material has been partially excavated from this pond. Approximately 4,000 tons of WIP material remained in the pond and will have to be excavated at some future date. The licensee also continued to store approximately 68,000 tons of calcium fluoride material in Ponds 5-9. The licensee indicated that the potentially contaminated soil and calcium fluoride material will be transferred and/or disposed during future phases of decommissioning, in accordance with license and Decommissioning Plan requirements.

The inspectors observed the operation of the waste water treatment system. At the time of the inspection, the system was collecting approximately 10 gallons per minute of incoming fluid, primarily from the intercept trench. The waste water was being treated with lime (calcium oxide), to adjust the pH of the water. The treated water was pumped to Ponds 8 or 9 for settling. The general manager indicated that a discharge was expected to occur in the near future, in accordance with its State-issued discharge permit OK0001643, to ensure that the volumes of water in the ponds were maintained below the required freeboard levels of the ponds.

The inspectors noted that previous training in U.S. Department of Transportation (DOT) requirements for individuals signing shipping paperwork as required by 10 CFR 71.5, which references 49 CFR 172.704, Subpart H, had been completed on August 23, 2016. The DOT requirements state that recurrent training is required at least once every three

years. This training was updated on August 23, 2016, for the individuals authorized to sign the DOT bills of lading, and updated on October 5, 2016, for other individuals involved in the transportation process. All shipments in 2016 were made by personnel with the proper training. Training included the following topics: general awareness, function-specific, hazmat transportation security awareness, hazardous materials transportation security, and safety and security plans. The general manager and the RSO were the only parties on-site authorized to sign the DOT bill of lading for shipments of the WIP material to the White Mesa Mill in Blanding, Utah, for use as alternate feed material.

The licensee made three shipments of WIP material in 2017. Each shipment consisted of 11 intermodal containers. The licensee discontinued bagging and shipping operations in June 2017 due to a lack of funds. The inspectors reviewed the licensee's documentation for the three shipments. In addition to the shipping manifest, the licensee documented the radiological survey of each shipment. All sample results were less than the respective DOT limits. The shipping papers included driver instructions and emergency telephone number. The licensee maintained documentation that the recipient received the material.

During site tours, the inspectors conducted independent radiological surveys within the restricted areas. Ambient gamma radiation levels were measured with a Ludlum Model 19 survey meter (NRC No. 015530, calibration due date of July 25, 2018, calibrated to Ra-226). With a background of approximately 10-12 microRoentgen per hour ( $\mu\text{R/hr}$ ), the highest contact exposure rate was measured on bagged WIP material in the Chem C building at approximately 400  $\mu\text{R/hr}$ . No area was identified that met the definition of a radiation area (greater than 5,000  $\mu\text{R/hr}$  at one foot). The inspector's radiation measurements were consistent with the measurements documented in routine surveys conducted by the licensee.

#### 4.3 Conclusion

The NRC inspectors confirmed that the licensee's program for storing and transporting solid waste material was performed in accordance with license and regulatory requirements.

### **5 Emergency Preparedness/Fire Protection (88050)**

#### 5.1 Inspection Scope

The inspectors reviewed the licensee's emergency preparedness program to ensure that the program was being maintained in compliance with license and regulatory requirements. The inspector also reviewed the organization, equipment, and controls available to implement the fire protection program.

#### 5.2 Observations and Findings

The inspectors reviewed procedure EP-100, "General Emergency Response," Revision 0. The emergency response procedure indicated that no process lines were currently in operation. Section 3.0 of the procedure included information on the characteristics of the hazardous materials present on site and indicated the location of

the materials. Overall, the procedure provided sufficient instructions for the licensee to respond to emergencies.

License Condition 10 states, in part, that the authorized use is for activities related to decommissioning and characterization of contaminated facilities, equipment, land, and maintenance of control over licensed materials in accordance with statements, representations, and conditions contained in the application as supplemented by letter dated July 24, 2003 (re: license transfer).

Attachment 4 to the July 4, 2003 letter, Part B, Section 3.4, "General Safety Procedures," states, in part, that FMRI has defined rules regarding safe radioactive material handling for staff implementation. These rules include the following: (1) Meeting with the Muskogee City Fire Department on an annual basis to discuss potential fire hazards and prevention at the facility; and (2) Maintaining an agreement with the Muskogee City Fire Department that in case of a fire will come to the aid of FMRI.

Based on discussions with licensee staff, the inspectors determined that the licensee had not implemented the annual requirements. The licensee was unable to demonstrate that it had implemented these requirements for a period of time exceeding the annual requirement. The licensee's failure to have a meeting with the Muskogee City Fire Department on an annual basis and to maintain an agreement with the Muskogee City Fire Department was a violation of License Condition 10 (VIO 040-07580/1801-01).

This inspection finding was determined to be a safety concern. If the fire department needed to respond to the site, they wouldn't have recent knowledge of the site layout and the areas that could have potential radiological and chemical concerns and consequences.

### 5.3 Conclusion

The licensee had emergency response and fire protection programs in effect that were appropriate for the current mode of plant operation and for licensee response. The licensee failed to maintain an agreement with the local fire department and failed to have annual meetings to discuss potential fire hazards and prevention at the facility to support fire department response in the event of an emergency at the facility.

## 6 **Exit Meeting**

The inspectors reviewed the inspection scope and preliminary results during an exit meeting conducted at the conclusion of the onsite inspection on March 6, 2018. The final inspection findings were presented to the licensee's staff by telephone on March 19, 2018. During the inspection, the licensee did not identify any information reviewed by the inspectors as proprietary.

**SUPPLEMENTAL INFORMATION**  
**Partial List of Persons Contacted**

FMRI

J. Burgess, General Manager/Operations Manager  
T. Lawrence, Radiation Technician  
R. Miller, Radiation Safety Officer, Reid, Miller Associates

Oklahoma Department of Environmental Quality

L. McCaskill, Environmental Programs Specialist

**Inspection Procedures Used**

IP 83822	Radiation Protection
IP 84900	Low Level Radioactive Waste Storage
IP 86740	Inspection of Transportation Activities
IP 88005	Management Organization and Controls
IP 88025	Maintenance and Surveillance of Safety Controls
IP 88045	Effluent Control and Environmental Protection
IP 88050	Emergency Preparedness
IP 88055	Fire Protection

**Items Opened, Closed, and Discussed**

Opened

040-07580/1801-01 VIO Failures to meet and have agreement with local fire department

Closed

None

Discussed

None

## **List of Acronyms**

ADAMS	Agencywide Documents Access and Management System
CFR	Code of Federal Regulations
DOT	U.S. Department of Transportation
IP	Inspection Procedure
μR/hr	microRoentgens per hour
NPDES	National Pollutant Discharge Elimination System
NRC	U.S. Nuclear Regulatory Commission
RSO	Radiation Safety Officer
WIP	Work In Progress

NRC INSPECTION REPORT 040-07580/18-001 AND NOTICE OF VIOLATION, FMRI DATED  
 APRIL 18, 2018

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