

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: SLS Land & Energy Development 226 West Main Street & 12 Van Horn Drive Glennville, West Virginia 26351 REPORT NUMBER(S) 2018-001		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) 030-38570	4. LICENSE NUMBER(S) 47-31480-01	5. DATE(S) OF INSPECTION April 3, 9, and 11, 2018	

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)

A. 10 CFR 20.1101(c) requires that the licensee periodically (at least annually) review the radiation safety program content and implementation.

Contrary to the above, as of April 3, 2018, the licensee had not reviewed the radiation protection program content and implementation annually. Specifically, reviews of the radiation protection program content and implementation was not being performed.

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	ADAM WILSON	<i>Adam Wilson</i>	4-11-18
NRC INSPECTOR	Dennis Lawyer	<i>Dennis Lawyer</i>	4/11/18
BRANCH CHIEF	Arthur Burritt	<i>Arthur Burritt</i>	4/11/18

SUNSI Review Completed By: / RA / Dennis Lawyer

Public Non-Sensitive

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED; SLS Land & Energy Development 226 West Main Street & 12 Van Horn Drive Glennville, West Virginia 26351 REPORT NUMBER(S) 2018-001		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) 030-38570	4. LICENSE NUMBER(S) 47-31480-01	5. DATE(S) OF INSPECTION April 3, 9, and 11, 2018	

(Continued)

The licensee performed an audit on April 9, 2018, and has created a calendar reminder to perform it the same day each year.

B. 10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 107, 171-180, and 390-397.

49 CFR 172.704(c)(2) requires, in part, that a hazmat employee must receive the training required by this subpart at least once every three years.

Contrary to the above, between February 2, 2016, and April 3, 2018, the licensee has been transporting licensed (hazardous) material on public highways and had not complied, in part, with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 107, 171-180, and 390-397. Specifically, one hazmat employees had not received the training required in 49 CFR 172.704 within three years and has been transporting licensed (hazardous) material on public highways.

The licensee had committed to having the employee complete the training by April 13, 2018. Required training will be maintained on a single spreadsheet for review and calendar reminders implemented so that training can be obtained timely.

C. Condition 18 of NRC License No. 47-31480-01 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures contained in the application dated August 30, 2012.

The Radiation Detection Instruments section of the application stated, "We will either possess and use, or have access to and use, a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program-Instruments" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001."

Contrary to the above as of April 3, 2018, the licensee did not possess or have access to a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program-Instruments" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001. Specifically, the licensee had owned a radiation meter that had broken and did not have a contract or arrangement to obtain a radiation survey meter.

The licensee purchased a new radiation meter and had it available for use on April 9, 2018.