



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

May 10, 2018

Mr. Nicholas Kohlhas, Plant Manger
AK Steel Corporation – Dearborn Works
4001 Miller Road
Dearborn, MI 48121-1699

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03031548/2018001(DNMS) AND
NOTICE OF VIOLATION – AK STEEL CORPORATION – DEARBORN WORKS

Dear Mr. Kohlhas:

On March 19, 2018, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection at your Dearborn, Michigan facility with continued in-office review through April 23, 2018. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The in-office review included a review of your pending license amendment request dated April 6, 2018, requesting a change to your listed radiation safety officer (RSO). Ms. Deborah Piskura of my staff conducted a final exit meeting by telephone with Mr. Tyler Alden of your staff on April 23, 2018, to discuss the inspection findings. This letter presents the results of the inspection.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as 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 was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation involved the failure to have the individual named on the license perform the duties and responsibilities of the RSO for a period of approximately two years, as required by License Condition No. 12 of NRC License No. 21-26151-01. Specifically, the RSO listed on your license left your employment on January 26, 2016, and you had not filed an application to amend the license to name a new RSO until April 6, 2018. The violation is cited in the enclosed Notice of Violation (Notice). The NRC is citing the violation in the enclosed Notice because the inspector identified the violation.

The root cause of the violation was that licensee staff assumed that an amendment request was submitted to the NRC in early 2016 to appoint a new, qualified individual to replace the RSO listed on the license. The licensee based this assumption on the timing when they had filed a notification with the State of Michigan on January 26, 2016, informing the agency of a change in RSO. The licensee staff believed that they had sent similar correspondence to the NRC but were unable to locate this documentation in their files. As corrective action to restore

compliance and to prevent recurrence, the licensee filed for an amendment to its NRC license to change the RSO on April 6, 2018. This amendment request was pending review by the Materials Licensing Branch.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in this letter. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with Title 10 of the *Code of Federal Regulations* (CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website 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 publicly available without redaction.

Please feel free to contact Ms. Piskura if you have any questions regarding this inspection. Ms. Piskura can be reached at 630-829-9867.

Sincerely,

/RA/

Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-31548
License No. 21-26151-01

Enclosure:
Notice of Violation

cc w/encl: State of Michigan

Letter to Mr. Nicholas Kohlhas from Aaron McCraw, dated May 10, 2018

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03031548/2018001(DNMS) AND
NOTICE OF VIOLATION – AK STEEL CORPORATION – DEARBORN WORKS

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OFFICE	RIII-DNMS		RIII-DNMS					
NAME	DPiskura:cl		AMcCraw					
DATE	5/4/2018		5/10/2018					

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

AK Steel Corporation – Dearborn Works
Dearborn, Michigan

License No. 21-26151-01
Docket No. 030-31548

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on March 19, 2018, with continued in-office review through April 23, 2018, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition No. 12 of Amendment No. 12 of NRC License 21-26151-01 named an individual as the Radiation Safety Officer (RSO) for this license.

Contrary to the above, from January 26, 2016, through April 6, 2018, the licensee failed to have the named individual on the license perform the duties and responsibilities of the RSO. Specifically, the RSO listed on the license left the licensee's employment on or about January 26, 2016, and the license immediately appointed a qualified individual to perform the duties and responsibilities of the RSO, but had not filed for an amendment to the NRC license to name the new, qualified individual on the license until April 6, 2018.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved, is already adequately addressed on the docket in letter transmitting this Notice of Violation (Notice). However, you are required to submit a written statement or explanation pursuant to Title 10 of the *Code of Federal Regulations* (CFR) 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, IR 03031548/2018001(DNMS)" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice.

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, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website 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 publicly available without redaction.

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

Dated this 10th day of May 2018

Enclosure