

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Panther Creek Mining, LLC Samples Mine 5914 Cabin Creek Road Eskdale, WV 25075 REPORT NUMBER(S) 2018001		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) 03033571	4. LICENSE NUMBER(S) 47-25301-01	5. DATE(S) OF INSPECTION 5/16/18, 6/11/18	

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)

Continued on next page.

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	Robert Hill - RSO	<i>Robert Hill</i>	6/15/2018
NRC INSPECTOR	Leonardo Wardrobe	<i>L Wardrobe</i>	6/11/2018
BRANCH CHIEF	Arthur Burritt		

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(Continued)

20 CFR 20.1101(c) states that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, Panther Creek Mining, LLC failed to perform periodically (at least annually) a review of the radiation protection program content and implementation. Specifically the licensee failed to periodically (at least annually) perform a review of their radiation protection program content and implementation from March 19, 2013, until May 16, 2018, a period greater than annual.

This is a Severity Level IV Violation (NRC Enforcement Policy 6.3.d)

The licensee has committed to completing the annual review of the radiation protection program content and implementation by June 14, 2018, and placing this annual review in his outlook calendar as a reminder to prevent this from re-occurring.