

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Triton Construction, Inc. P.O. Box 908 Nitro, West Virginia 25143 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) 03038439	4. LICENSE NUMBER(S) 47-31438-01	5. DATE(S) OF INSPECTION 10/29/18, 11/1/18 & 12/13/18	

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)

See continuation Sheet.

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	Mark Gessel, RSO		12/20/2018
NRC INSPECTOR	Leonardo Wardrobe		12/13/2018
BRANCH CHIEF	Arthur Burritt		12/20/18

SUNSI Review Completed By: / RA / L Wardrobe

Public

Non-Sensitive

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(Continued)

10 CFR 71.5 states that each licensee who transports licensed material outside 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, shall comply with the applicable requirements of the DOT regulations in 49 CFR parts 107, 171 through 180, and 390 through 397, appropriate to the mode of transport.

49 CFR 172.702 states that a hazmat employer shall ensure that each of its hazmat employees is trained in accordance with the requirements in this subpart.

Contrary to the above, the licensee failed to ensure that each of its hazmat employees were trained in accordance with 49 CFR 172 Subpart H. Specifically an authorized user (AU) transported licensed material multiple instances from January 4, 2016 to October 29, 2018 and did not have training in accordance with 49 CFR 172 Subpart H.

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

The licensee immediately informed the affected AU to cease transportation of the portable gauge until they complete HAZMAT training. The licensee committed to reviewing training records to ensure HAZMAT training is completed when portable gauge training is performed and tracking dates of HAZMAT training to ensure HAZMAT refresher training is completed in a timely manner.