

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

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|---|--|---|--|
| 1. LICENSEE/LOCATION INSPECTED Tunnel Ridge, LLC LICENSEE'S FACILITIES 1901 SHORT CREEK ROAD WHEELING, WV 26003 REPORT NUMBER(S) 2020001 | | 2. NRC/REGIONAL OFFICE Region 1 2100 Renaissance Blvd Suite 100 King of Prussia, PA 19406-2713 | |
| 3. DOCKET NUMBER(S) 030-38733 | 4. LICENSE NUMBER(S) 47-35142-01 | 5. DATE(S) OF INSPECTION 03/01/2020 - 03/23/2020 | |

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):

- 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) states that licensees shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, as of March 3, 2020, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, the licensee failed to perform and document any annual program reviews for calendar years 2016, 2017, 2018, or 2019.

As corrective action, the licensee performed a program review on March 5, 2020 and established a recurring computer-based task to inform the licensee when the annual program reviews are due moving forward.

This is a Severity Level IV violation (Enforcement Policy 6.3.d.3).

B. License Condition 24 of NRC License 47-35142-01 states, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed under License Condition 24.

In the letter dated April 30, 2014, as listed under License Condition 24, the licensee committed to maintain, for inspection by the NRC, documentation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20.

Contrary to the above, as of March 3, 2020, the licensee failed to maintain, for inspection by the NRC, documentation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20. Specifically, the licensee failed to either maintain such a calculation or issue dosimetry to its employees.

As corrective action, the licensee contracted a service provider to produce a calculation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20.

This is a Severity Level IV violation (Enforcement Policy 6.3.d.3).

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1. LICENSEE/LOCATION INSPECTED

Tunnel Ridge, LLC
LICENSEE'S FACILITIES
1901 SHORT CREEK ROAD
WHEELING, WV 26003

2. NRC/REGIONAL OFFICE

Region 1
2100 Renaissance Blvd
Suite 100
King of Prussia, PA 19406-2713

REPORT NUMBER(s) 2020001

3. DOCKET NUMBER(S)

030-38733

4. LICENSE NUMBER(S)



47-35142-01

5. DATE(S) OF INSPECTION

03/01/2020 - 03/23/2020

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 | Troy Gussler |  | 3-30-20 |
| NRC INSPECTOR | Jonathan Pfingsten |  | 3/30/2020 |
| BRANCH CHIEF | Christopher Cahill | | |