

### SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

**1. LICENSEE/LOCATION INSPECTED**

Department of the Army  
Fort Mifflin Project Office  
U.S. Army Reservation, Building No. 2  
Philadelphia, PA 19107

**2. NRC/REGIONAL OFFICE**

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

**REPORT NUMBER(S) 2021001**

**3. DOCKET NUMBER(S)**

030-32866

**4. LICENSE NUMBER(S)**

37-28775-01

**5. DATE(S) OF INSPECTION**

04/22/2021 - 04/23/2021

**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)

License Condition 18.A of NRC Materials License 37-28775-01, Amendment No. 10, dated March 2, 2021, requires, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the application dated January 4, 2013.

The application dated January 4, 2013, under Item No. 10 "Radiation Safety Program – Operating and Emergency Procedures," requires, in part, that the licensee will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all gauge users and at each job site.

Contrary to the above, from January 28, 2016, through April 22, 2021, the licensee failed to implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all gauge users and at each job site. Specifically, the licensee maintained a set of procedures within the U.S. Corps of Engineers, North Atlantic Division, Philadelphia - Radiation Safety Program, and these procedures differed materially from the model procedures contained in Appendix H of NUREG-1556, Vol. 1, Rev. 1., and did not include certain elements described in NUREG-1556, Vol. 1, Rev. 1, Section 8.10.7 "Operating and Emergency Procedures" criteria.

This is a Severity Level IV violation (NRC Enforcement Policy 6.3.d). The licensee instituted prompt corrective actions to address this violation by obtaining the aforementioned model procedures from the NRC website, distributing them to the gauge users, and providing the gauge users training on the same procedures.

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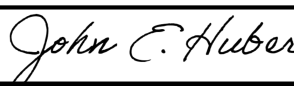
37-28775-01

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#### 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	John Huber, RSO		May 3 2021
NRC INSPECTOR	Jason vonEhr	Jason E. VonEhr <small>Digitally signed by Jason E. VonEhr Date: 2021.05.03 11:38:14 -04'00'</small>	May 3, 2021
BRANCH CHIEF	Chris Cahill		