

### SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

<b>1. LICENSEE/LOCATION INSPECTED</b>  W-L Construction & Paving, Inc. P.O. Box 339 Stephenson, VA 22656		<b>2. NRC/REGIONAL OFFICE</b>  Region 1 2100 Renaissance Blvd Suite 100 King of Prussia, PA 19406-2713	
<b>REPORT NUMBER(S) 2021001</b>			
<b>3. DOCKET NUMBER(S)</b> 030-33317	<b>4. LICENSE NUMBER(S)</b> 45-21343-02		<b>5. DATE(S) OF INSPECTION</b> 06/01/2021 - 06/07/2021

**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)

A.  
NRC License Condition No. 12 of NRC License No. 45-21343-02, dated January 15, 2014, authorized a specific individual to fulfill the duties and responsibilities of the Radiation Safety Officer for the license.

Contrary to the above, from June 2020, to June 7, 2021, the individual specifically authorized as the Radiation Safety Officer (RSO) in Condition 12 of NRC License No. 45-21343-02, dated January 15, 2014, did not fulfill the duties and responsibilities of the RSO. Specifically, the RSO left employment at the beginning of June 2020. W-L Construction & Paving, Inc. appointed a new RSO, but did not submit a license amendment requests to the NRC until June 7, 2021. The licensee also maintains an Agreement State license in the Commonwealth of Virginia. The individual appointed to be the RSO was approved on Virginia license 840-448-1 Amendment 04 on June 11, 2020.

The licensee's corrective action included initiating an amendment requesting a change of RSO which was approved on NRC license 45-21343-02, amendment 10 dated July 13, 2021.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.3.d.8).

B.  
NRC License Condition No. 14 of NRC License No. 45-21343-02, dated January 15, 2014, requires that the licensee conduct a physical inventory every six months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license.

Contrary to the above, for the inspection period, the licensee failed to conduct physical inventories every six months and no approvals were granted for other inventory intervals. Specifically, while the licensee maintained annual calibration and leak test records, a review of all available records when compiled could provide an annual inventory, but not meet the six month inventory requirements of the license condition.

The licensee initiated corrective action that included documentation of gauge inventory to include the shipment of gauges to the vendor for calibration at the end of 2020 and the inventory conducted during this inspection in June 2021.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.3.d.3).

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

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Stephenson, VA 22656

**2. NRC/REGIONAL OFFICE**

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

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**3. DOCKET NUMBER(S)**

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

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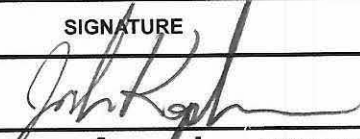
Contrary to the above, since 2018, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation.

As corrective action, the licensee plans to initiate a review of their radiation safety program using an audit form comparable to the guidance in Appendix E of NUREG-1556 Volume 1, Revision 2.

This is a Severity Level IV Violation (NRC Enforcement Policy Section 6.3.d.3).

**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	Joshua Kaplan		7-16-21
NRC INSPECTOR	Juan Ayala	<b>Juan Ayala</b>	Digitally signed by Juan Ayala Date: 2021.07.14 12:03:06 -04'00'
BRANCH CHIEF	Christopher Cahill	<b>Christopher G. Cahill</b>	Digitally signed by Christopher G. Cahill Date: 2021.07.14 12:44:04 -04'00'