



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

April 7, 2022

Mr. Jason Baucum
Radiation Safety Officer
Teck Alaska Incorporated
dba Red Dog Mine
2525 C Street
Suite 310
Anchorage, AK 99503

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-30900/2021-001 AND NOTICE OF VIOLATION

Dear Mr. Baucum:

This letter refers to the remote inspection conducted between August 27, 2021, and March 21, 2022, of your facility at Red Dog Mine, Alaska. The inspection was an examination of activities conducted under your license as they relate to public health and safety, to confirm compliance with the U.S. Nuclear Regulatory Commission's (NRC's) rules, regulations, and with the conditions of your license. Within these areas, the inspection consisted of a selected examination of procedures and representative records, and interviews with personnel. A final exit briefing was conducted with Mr. Brendan Vermeulen and yourself, through video conference, on March 21, 2022.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. The violations were evaluated in accordance with the NRC Enforcement Policy, which is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations involved the failure to: (1) review the radiation protection program in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20 and (2) perform contamination leak tests at the required interval. These violations are being cited in the enclosed Notice of Violation (Notice) because the NRC identified the violations during our inspection.

Based on the results of this inspection, the NRC has also determined that one additional Severity Level IV violation of NRC requirements occurred. However, Teck Alaska Incorporated identified and corrected this violation and the violation is not repetitive and is therefore being treated as a Noncited Violation (NCV), consistent with Section 2.3.2 of the Enforcement Policy. The NCV involved the failure to conduct a physical inventory every 6 months. If you contest the violation or significance of the NCV, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to: (1) the Regional Administrator, Region IV; and (2) the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

During the inspection, the NRC also reviewed the corrective actions taken to address one violation identified during the NRC routine inspection conducted at your facility at Red Dog Mine, Alaska, between March 26 - 27, 2010. Your associated corrective actions were reviewed and found to be adequate and therefore this violation is now considered closed.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful in preparing your response. You can find the Information Notice on the NRC website at: <https://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. Information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance will be (was) achieved should be addressed. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such information, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with the NRC's "Agency Rules of Practice and Procedure" in 10 CFR 2.390, a copy of this letter, its enclosure, and your response will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions regarding the letter or the enclosed Notice, please contact Mr. Kyle Bischoff at 817-200-1259 or kyle.bischoff@nrc.gov.

Sincerely,



Signed by Roldan-Otero, Lizette
on 04/07/22

Lizette Roldán-Otero, PhD, Chief
Materials Inspection Branch
Division of Radiological Safety and Security

Docket No. 030-30900
License No. 50-23289-01

Enclosure:
Notice of Violation (Notice)

cc w/Enclosure:
Irene Casares
Radiological Health Physicist II
Alaska State Public Health Laboratories
Department of Health & Social Services
5455 Dr. Martin Luther King Jr. Ave
Anchorage, Alaska 99507
Irene.Casares@alaska.gov

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-30900/2021-001 AND NOTICE OF VIOLATION DATED APRIL 7, 2022

DISTRIBUTION:

SMorris, RA
JMonninger, DRA
MMuessle, D/DRSS
GMiller, DD/DRSS
NO'Keefe, DRSS
R4Enforcement
R4-DRSS_MIB

Document:

ADAMS ACCESSION NUMBER: **ML22097A187**

SUNSI Review: ADAMS: Non-Publicly Available and Sensitive
By: KCB Yes No Publicly Available and non-sensitive

OFFICE	HP:MIB	HP:MIB	C:MIB			
NAME	ABolger	KBischoff	LRoldánOtero			
SIGNATURE	AB	KB	LRO			
DATE	04/07/2022	04/06/2022	04/07/2022			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Teck Alaska Incorporated dba Red Dog Mine
Red Dog Mine, AK

License No. 50-23289-01
Docket No. 030-30900

During a remote NRC inspection conducted between August 27, 2021- March 21, 2022, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 20.1101(c) requires that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, between August 28, 2018 – August 27, 2021, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, the licensee had not performed a review of the radiation protection program for at least 3 years (e.g., 2018, 2019, and 2020).

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

- B. Condition 13 A. of NRC License 50-23289-01, Amendment 20, dated September 24, 2021, requires, in part, that sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State.

Certificate of registration for a Thermo Fisher Scientific Neutron Analytical-Lab Analyzer (NALA) device, TX-0634-D-883-S, specifies that the sealed source shall be tested for leakage and/or contamination at intervals not to exceed 6 months.

Contrary to the above, from October 31, 2020 to October 2, 2021, the licensee failed to test sealed sources for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State. Specifically, a Thermo Fisher Scientific NALA device in use between October 31, 2020 - October 2, 2021, having last been tested for leakage and/or contamination on March 31, 2020, a period greater than 6 months.

This is a Severity Level IV violation (Section 6.7.d.4)

Pursuant to the provisions of 10 CFR 2.201, Teck Alaska Incorporated dba Red Dog Mine is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to Director, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission Region IV, 1600 E. Lamar Blvd., Arlington, Texas 76011, and emailed to Lizette.Roldan-Otero@nrc.gov within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation; in NRC Inspection Report 030-30900/2021-001" and should include, for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved.

Enclosure

Your response may reference or include previously docketed correspondence if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with 10 CFR 19.11, you may be required to post this Notice within 2 working days of receipt.

Dated this 7th day of April 2022