

**SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION**

<b>1. LICENSEE/LOCATION INSPECTED</b> Loadout, LLC Coalriver Energy, LLC Loadout Fork Creek Road Alum Creek, WV		<b>2. NRC/REGIONAL OFFICE</b> Region 1 2100 Renaissance Blvd Suite 100 King of Prussia, PA 19406-2713	
<b>REPORT NUMBER(S) 2022001</b>			
<b>3. DOCKET NUMBER(S)</b> 030-35437	<b>4. LICENSE NUMBER(S)</b> 47-25528-01	<b>5. DATE(S) OF INSPECTION</b> 03/09/2022 - 03/28/2022	

**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)

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

Contrary to the above, from at least May 30, 2019, through March 9, 2022, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, the licensee failed to perform any audits or reviews of its program since at least the last inspection, and likely further back.

This was determined to be a SLIV violation (NRC Enforcement Policy 6.3.d). To correct the violation, the licensee promptly performed an audit of its program using Appendix E of NUREG-1556, Volume 4, Revision 1, and committed to performing an equivalent audit annually thereafter.

(Continued on next page)

**SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION**

<b>1. LICENSEE/LOCATION INSPECTED</b>  Loadout, LLC Coalriver Energy, LLC Loadout Fork Creek Road Alum Creek, WV	<b>2. NRC/REGIONAL OFFICE</b>  Region 1 2100 Renaissance Blvd Suite 100 King of Prussia, PA 19406-2713
<b>REPORT NUMBER(S) 2022001</b>	

<b>3. DOCKET NUMBER(S)</b> 030-35437	<b>4. LICENSE NUMBER(S)</b> 47-25528-01	<b>5. DATE(S) OF INSPECTION</b> 03/09/2022 - 03/28/2022
---	--	--

License Condition 23.A of NRC License 47-25528-01, dated December 8, 2020, required, in part, that the licensee conduct its program in accordance with the statements, representations, and procedures contained in the application dated October 21, 2020.

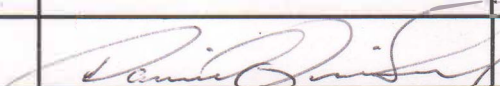
The application dated October 21, 2020, under Section 10 "Radiation Safety Program - Occupational Dosimetry" required, in part, that the licensee to perform a prospective evaluation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20. Contrary to the above, on March 9, 2022, the licensee failed to perform a prospective evaluation 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's evaluation from 2004 failed to provide basic information or sources for information such as the radiation level used, the occupancy levels, and finally concluded with a value greater than 10 percent of the limits in 10 CFR Part 20 (suggesting dosimetry would have been required). Note: the licensee was under an identical commitment for the inspection period prior to the December 8, 2020 license amendment, which was under License Condition 24.A.

During the inspection, the inspectors performed surveys and performed a preliminary evaluation demonstrating it was highly unlikely staff, contractors, or other personnel would exceed 10 percent of the limits in 10 CFR Part 20.

This was determined to be a SLIV violation (NRC Enforcement Policy 6.7.d). To correct this violation, the licensee completed a prospective evaluation, which was reviewed by the inspectors and determined to be adequate.

**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	Daniel Quisenberry, RSO		4/8/22
NRC INSPECTOR	Jason vonEhr	Jason E. VonEhr	Digitally signed by Jason E. VonEhr Date: 2022.04.01 08:46:01 -04'00'
BRANCH CHIEF	Christopher Cahill		