



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2056 WESTINGS AVENUE, SUITE 400
NAPERVILLE, IL 60563-2657

July 24, 2025

EA-24-119
EAF-RIII-2024-0019

Beth Holloway
Health and Safety Manager
Alcoa Corporation
4700 Darlington Road
Newburgh, IN 47629

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY -
\$9,000; NRC ROUTINE INSPECTION REPORT NO. 03020691/2024001 (DRSS) -
ALCOA CORPORATION

Dear Beth Holloway:

This letter refers to the U.S. Nuclear Regulatory Commission (NRC) inspection conducted on July 23, 2024, at your Newburgh, Indiana, power plant. The purpose of the inspection was to review activities performed under your NRC specific license (License No. 13-20664-01) to ensure that activities were being performed in accordance with NRC requirements. During the inspection, two apparent violations of NRC requirements were identified. The circumstances surrounding the apparent violations, the significance of the issues, and the need for lasting and effective corrective actions were discussed with you during an exit meeting conducted on March 5, 2025. Inspection Report No. 03020691/2024001 (DRSS) was issued on March 24, 2025, and can be found in the NRC's Agencywide Documents Access and Management System (ADAMS) at accession number ML25070A137. ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

In the letter transmitting the inspection report, we provided you with the opportunity to address the apparent violations identified in the report by either attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. In a letter dated April 21, 2025, (ML25177B443) and email dated May 23, 2025, (ML25178B392) you provided your response to the apparent violations.

Based on the information developed during the inspection and the information that you provided in your response to the inspection report in a letter dated April 21, 2025, and email dated May 23, 2025, the NRC has determined that two violations of NRC requirements occurred and is proceeding with enforcement action. These violations are cited in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) and the circumstances surrounding them are described in detail in the subject inspection report. Violation A involved your failure to have the individual named on the license as the Radiation Safety Officer (RSO). The failure to have an approved and qualified individual as RSO is of regulatory concern because there was a significant gap in the knowledge and awareness of the radiation safety program during the time an approved and qualified RSO was absent.

Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. Violation B involved your failure to perform leak tests of sealed sources at intervals specified in the certificate of registration for the device. This violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level IV.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$9,000 is considered for a Severity Level III violation.

Because your facility has not been the subject of escalated enforcement actions within the last two inspections, the NRC considered whether credit was warranted for *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. In your response letter dated April 21, 2025, you described your corrective actions, including having the appointed RSO complete an RSO training course on January 28, 2025, and planning to submit a license amendment request by April 30, 2025, to have the named RSO on the license updated. As of May 15, 2025, you had not yet submitted the license amendment request, so in an email to you, the NRC again requested this document be submitted. In your email on May 23, 2025, you indicated that you had submitted the amendment request as of May 20, 2025; however, the NRC determined that this request was missing required information and could not be accepted. On June 18, 2025, you submitted a new amendment request to name a new RSO. While this amendment request was accepted, the license has not yet been amended as you indicated in the request that all the training requirements for the new RSO would not be met until at least July 8, 2025.

Although you have taken some actions to address this violation, you have not restored compliance in a timely manner. Therefore, the NRC has determined that credit is not warranted for *Corrective Action* in accordance with the civil penalty assessment process.

Therefore, to emphasize the importance of oversight of licensed activities and of prompt and comprehensive correction of violations, I have been authorized, after consultation with the Acting Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the base amount of \$9,000 for the SL III violation. In addition, issuance of this Notice constitutes escalated enforcement action that may subject you to increased inspection effort. The NRC also includes significant enforcement actions on its website at (<https://www.nrc.gov/about-nrc/regulatory/enforcement/current.html>).

You may pay the proposed civil penalty in accordance with NUREG/BR-0254 (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0254/index.html>). When using NUREG/BR-0254 to pay the civil penalty, the invoice number should be used as the "enforcement action identifier" when submitting your payment through one of the approved methods listed in the brochure. The NRC may consider a request for additional time to pay the proposed civil penalty, including the option to enter into an installment agreement, if payment of the civil penalty as a lump sum in the required timeframe would pose a financial hardship. To request additional time to pay, you must submit a written request, with appropriate justification explaining your financial hardship, to NRCCollections.Resource@nrc.gov. All requests should be submitted in sufficient time to allow the NRC the ability to review your request for additional time to pay before the 30-day payment period expires.

If you disagree with this enforcement sanction, you may deny the violation, as described in the Notice, or you may request alternative dispute resolution (ADR) with the NRC in an attempt to resolve this issue. ADR is a general term encompassing various techniques for resolving conflicts using a neutral third party. The technique that the NRC has decided to employ is mediation. Mediation is a voluntary, informal process in which a trained neutral (the "mediator") works with parties to help them reach resolution. If the parties agree to use ADR, they select a mutually agreeable neutral mediator who has no stake in the outcome and no power to make decisions. Mediation gives parties an opportunity to discuss issues, clear up misunderstandings, be creative, find areas of agreement, and reach a final resolution of the issues. Additional information concerning the NRC's ADR program can be found at <http://www.nrc.gov/about-nrc/regulatory/enforcement/adr.html>.

The Institute on Conflict Resolution (ICR) at Cornell University has agreed to facilitate the NRC's program as a neutral third party. **If you are interested in pursuing this issue through the ADR program, please contact: (1) the ICR at (877) 733-9415; and (2) Diana Betancourt-Roldan at (630) 810-4373 within 10 days of the date of this letter.** You may also contact both ICR and Diana Betancourt-Roldan for additional information. Your submitted signed agreement to mediate using the NRC ADR program will stay the 30-day time period for payment of the civil penalties and the required written response, as identified in the enclosed Notice, until the ADR process is completed.

The NRC has concluded that information regarding: (1) the reason for the violations; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance will be achieved is already addressed on the docket in Inspection Report No. 03020691/2024001 (DRSS), your letter dated April 21, 2025, and your email dated May 23, 2025. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

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

Sincerely,



Signed by Giessner, Jack
on 07/24/25

John B. Giessner
Regional Administrator

Docket No. 030-20691
License No. 13-20664-01

Enclosure: Notice of Violation

cc: C. Eckstein, State Liaison Officer
W. Driskell, Plant Manager
W. Munie, Radiation Safety Officer

Letter to B. Holloway from J. Giessner dated July 24, 2025.

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
\$9,000; NRC ROUTINE INSPECTION REPORT NO. 03020691/2024001 (DRSS) -
ALCOA CORPORATION

DISTRIBUTION w/encl:

RidsSecyMailCenter
OCADistribution
Michael King
Bo Pham
June Cai
Juan Peralta
Carmen Rivera Diaz
Jack Giessner
Mohammed Shuaibi
Daniel Collins
Julio Lara
John Monninger
Shannon Rogers
Marcia Simon
Shelbie Lewman
Andrea Kock
Kevin Williams
Christian Einberg
Michele Burgess
Andy Miller
Majorie McLaughlin

Mark Kowal
Beth Alferink
Diana Betancourt-Roldan
Kim Darling
Javier Negron
Holly Harrington
Thomas Ashley
Meghan Blair
Jeffrey Hamman
Jared Heck
Rhex Edwards
MIB Inspectors
John Pelchat
Darren Piccirillo
Viktoria Mitlyng
Prema Chandrathil
Geoffrey Edwards
Jason Draper
Sarah Bakhsh
Michelle Garza
NonFeelInvoices Resource
RidsOemailCenter Resource

ADAMS Accession Number: ML25182A356

☒ Publicly Available ☐ Non-Publicly Available ☐ Sensitive ☒ Non-Sensitive

OFFICE	RIII-EICS		RIII-DRSS		RIII-DRSS		OE	
NAME	JDraper:ve		REdwards		JHeck		CRivera Diaz for JPeralta	
DATE	7/3/2025		7/7/2025		7/7/2025		7/7/2025	
OFFICE	OGC for NLO		RIII-EICS		RIII-ORA			
NAME	MSimon		GEdwards for DBetancourt- Roldan		JGiessner			
DATE	7/21/2025		7/24/2025		7/24/2025			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

ALCOA Corporation
Newburgh, Indiana

Docket No. 030-20691
License No. 13-20664-01
EA-24-119
EAF-RIII-2024-0019

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on July 23, 2024, violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the NRC proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

I. Violation Assessed a Civil Penalty

- A. Condition No. 11 of Amendment No. 12 to License No. 13-20664-01, dated July 7, 2017, identified a named individual as the Radiation Safety Officer (RSO) for this license.

Contrary to the above, since November 2022, the Licensee failed to have the individual named on the license as the RSO. Specifically, the RSO listed on the license stopped being the RSO in November 2022, and two unqualified individuals were appointed as RSO since then without the license being amended.

This is a Severity Level III violation (Enforcement Policy Section 6.3).
Civil Penalty - \$9000. (EA-24-119, EAF-RIII-2024-0019)

II. Violation Not Assessed a Civil Penalty

- A. Condition No. 13.A of Amendment No. 12 to License 13-20664-01, dated July 7, 2017, states, "Sealed sources and detector cells 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 CA-0305-D-101-S requires leak tests to be performed every 6 months for the Gamma Metrics Model 2000 Bulk Materials Analyzer.

Contrary to the above, the Licensee did not leak test sealed sources at intervals specified in the certificate of registration. Specifically, during the period of December 12, 2023 – July 10, 2024, the Licensee possessed a Gamma Metrics Model 2000 Bulk Materials Analyzer and did not perform leak tests of sealed sources every 6 months as required by CA-0305-D-101-S and License Condition 13.A.

This is a Severity Level IV violation (Enforcement Policy Section 6.7).

Enclosure

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be achieved, is already addressed on the docket in Inspection Report No. 03020691/2024001 (DRSS), the Licensee's letter dated April 21, 2025, and the Licensee's email dated May 23, 2025. However, the Licensee is required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect the Licensee's corrective actions or position. In that case, or if the Licensee chooses to respond, the Licensee should clearly mark its response as a "Reply to a Notice of Violation, (EA-24-119; EAF-RIII-2024-0019)" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, 2056 Westings Avenue, Naperville, IL 60563 within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

The Licensee may pay the civil penalty proposed above by submitting the payment in accordance with NUREG/BR-0254.

The Licensee may protest the imposition of the civil penalty in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice. Should the Licensee fail to answer within 30 days of the date of this Notice, the NRC will issue an order imposing the civil penalty. Should the Licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violation listed in this Notice, in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the response should address the factors addressed in Section 2.3.4 of the Enforcement Policy. Any written answer addressing these factors pursuant to 10 CFR 2.205 should be set forth separately from the statement or explanation provided pursuant to 10 CFR 2.201, but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the Licensee is directed to the other provisions of 10 CFR 2.205 regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalty which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205 to be due, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282c.

The responses noted above, i.e., Reply to Notice of Violation, Statement as to payment of civil penalty, and Answer to a Notice of Violation, should be addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region III, 2056 Westings Avenue, Naperville, IL 60563 and the Document Control Center, Washington, DC 20555-0001.

If you choose to respond, 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, proprietary, or safeguards information so that it can be made available to the public without redaction.

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

Dated this 24th day of July 2025.