



**AgriBusiness**  
Smoky Canyon Mine

February 25, 2019

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-001

REFERENCE: NRC Inspection 030-33871/2018-001

SUBJECT: RESPONSE TO NOTICE OF VIOLATION

To Whom It May Concern:

This letter is in response to the referenced Nuclear Regulatory Commission (NRC) Inspection and subsequent Notice of Violation issued to the JR Simplot Smoky Canyon Mine, NRC License #49-27521-01.

The report identified two (2) Severity Level IV violations. The violations, corrective steps that have been taken, further preventative actions, and the date of full compliance are described in detail on Page 2 of this letter.

JR Simplot takes the safety of its employees and adherence to regulatory standards with the utmost seriousness. We appreciate the professionalism and thoroughness displayed by the NRC inspector and address the violations with great urgency.

Should you have any questions regarding this letter, please contact Bill Spaulding at 307-887-5049, or the undersigned at 208-873-3743.

Thank you,

Robert Roberts,  
Safety Manager  
Smoky Canyon Mine

ML19066A033

#### **Severity Level IV Violation (A)**

##### VIOLATION:

JR Simplot Smoky Canyon Mine did not adhere to Title 10 CFR 30.34(i) requiring two (2) independent physical controls in the form of tangible barriers for a portable gauge. The portable gauge case, secured to a steel column on the second mezzanine above the Electric Shop, had just one (1) barrier of physical control.

##### CORRECTIVE ACTIONS TAKEN:

During the inspection, under the supervision of the NRC Inspector, Bill Spaulding and Don Cobbley immediately installed two (2) steel chains, crisscrossed, around the portable gauge case and secured the chains with padlocks.

##### DATE OF FULL COMPLIANCE:

Full compliance was achieved on 28 November 2018, the day of the inspection.

##### PREVENTATIVE ACTIONS:

Bill Spaulding and Terry Tucker completed Radiation Safety Training on 21 February 2019. Radiation Safety training shall be conducted every other year in accordance to the radiation safety plan at Smoky Canyon Mine. This plan has been implemented to ensure that a repeated violation will not take place.

#### **Severity Level IV Violation (B)**

##### VIOLATION:

JR Simplot Smoky Canyon Mine did not adhere to License Condition 12 of NRC License #49-27521-01, Amendment No. 10 requiring that the Radiation Safety Officer for the license was Mr. Brian Bowers. JR Simplot Smoky Canyon Mine did not submit an amendment to change the Radiation Safety Officer within the appropriate timeframe.

##### CORRECTIVE ACTIONS TAKEN:

JR Simplot Smoky Canyon Mine submitted an amendment letter on 14 November 2018 to the NRC, requesting the change of Radiation Safety Officer. Mr. Bill Spaulding, under License Condition 12, is the Radiation Safety Officer for NRC License #49-27521-01, Amendment No. 11. For future reference, JR Simplot Smoky Canyon Mine will comply with NRC License #49-27521-01, Amendment No. 11, License Condition 12, and immediately identify and submit an amendment for change of Radiation Safety Officer to the NRC.

##### DATE OF FULL COMPLIANCE:

Full compliance was achieved on 4 February 2019, the day JR Simplot Smoky Canyon Mine received an updated license naming Mr. Bill Spaulding as the RSO.

##### PREVENTATIVE ACTIONS:

Smoky Canyon Mine management is aware of, and will comply, with NRC regulations to ensure a new RSO is assigned within 30 days, and a request for a license amendment is submitted to the commission. Mr. Bill Spaulding, as the RSO, shall notify management of any changes that would affect NRC License #49-27521-01. This plan has been implemented to ensure that a repeated violation will not take place.