



October 29, 2019

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Re: Reply to Violation – Cheat Road Engineering, Inc – NRC Inspection No. 03038648/2019001
License No. 47-35070-01 / Docket No. 03038648

To Whom It May Concern:

Cheat Road Engineering, Inc. (CRE) is providing the below responses to the NRC Inspection No. 03038648/2019001 and NOV dated September 6, 2019.

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

Contrary to the above, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically between April 16, 2014 and July 22, 2019, the licensee failed to review their radiation protection program content and implementation, a period greater than annual (i.e.. once per year).

Reason for Violation: CRE did not understand that a full internal annual audit was required to be performed.

Corrective Steps Taken and Results Achieved: CRE has begun to perform self-audits on an eleven month schedule to ensure periodicity is maintained. The first internal audit was performed on September 18, 2019.

Corrective Steps to be Taken in the Future: Self-audits will be performed as described above. Electronic scheduling and reminding software is being utilized to help ensure the audits are performed within the appropriated time frame.

Date that Full Compliance will be Achieved: While CRE will be performing the required self-audits on the schedule provided above. CRE does not believe that full compliance will be achieved until the next NRC

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inspection when validation of the self-audit program is provided.

Violation B. License Condition 13A of NRC License 47-35070-01 states in part that sealed sources shall be tested for leakage and/ or contamination at intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.

Contrary to the above, between: February 23, 2015 and January 13, 2017; January 13, 2017 and May 7, 2018; and May 7, 2018 and July 23, 2019, the licensee failed to test their sealed sources for leakage and/ or contamination at intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10CFR 32.210 or under equivalent regulations of an Agreement State. Specifically, the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under CFR 10.210 or under equivalent regulations of an Agreement State are twelve month periods.

Reason for Violation: CRE did not have an effective means of tracking when leak tests were conducted or when to schedule the next tests. With this deficiency CRE was unable to ensure proper leak testing would be conducted within the required time allotted (annually at the least).

Corrective Steps Taken and Results Achieved: CRE has begun to perform leak tests on an eleven month schedule to ensure periodicity is maintained. The first series of leak tests were performed on July 23, 2019.

Corrective Steps to be Taken in the Future: Leak testing will be performed as described above. Electronic scheduling and reminding software is being utilized to help ensure the audits are performed within the appropriated time frame.

Date that Full Compliance will be Achieved: While CRE will be performing leak tests on the schedule provided above. CRE does not believe that full compliance will be achieved until the next NRC inspection when validation of the self-audit program is provided.

Violation C. License Condition 14 of NRC License 47-35070-01 states in part that the licensee shall conduct a physical inventory every six months, or at other intervals approved by the NRC, to account for all sources and/or devices received or possessed under the law.

Contrary to the above, the licensee failed to conduct a physical inventory every six months, or at other intervals approved by the NRC, to account for all sources and/or devices received or possessed under the license. Specifically, between May 5, 2018 and July 23,

2019, the licensee failed to conduct a physical inventory to account for all sources and/ or devices received or possessed under the license, a period greater than six months.

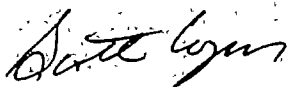
Reason for Violation: CRE did not have an effective means of tracking when inventories were conducted, therefore CRE was unable to ensuring inventories would be conducted within the required time allotted (six months).

Corrective Steps Taken and Results Achieved: CRE has begun to perform inventories on a five month schedule to ensure periodicity is maintained. The dates of these inventories are recorded and used to schedule the follow on inventories. The latest inventory was performed on July 23, 2019, while doing the annual leak test.

Corrective Steps to be Taken in the Future: Inventories will be performed as described above. Electronic scheduling and reminding software is being utilized to help ensure the audits are performed within the appropriated time frame.

Date that Full Compliance will be Achieved: While CRE will be performing inventories on the schedule provided above. CRE does not believe that full compliance will not be achieved until the next NRC inspection when validation of the self-audit program is provided.

Sincerely,
Cheat Road Engineering, Inc.



Scott Copen, P.E.
Vice President

CC: Attn: Ms. Anne DeFrancisco, Acting Chief
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