



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

January 24, 2020

Timothy T. White, President
White Brothers Consulting, LLC
447 Call Road, Suite 216
Charleston, WV 25312

**SUBJECT: WHITE BROTHERS CONSULTING - NRC INSPECTION NO.
03038690/2019001 AND NOTICE OF VIOLATION**

Dear Mr. White:

This letter refers to the inspection conducted on October 8, 2019 at your Charleston facilities and continuing in-office through January 14, 2020. This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice) because the violation was identified by the NRC.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket and includes termination of NRC License 47-35110-01. Therefore, you are not required to respond to this letter unless the description herein 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 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions regarding this matter, please contact Todd Jackson of my staff at (610) 337-5308 or via electronic mail at Todd.Jackson@nrc.gov.

Thank you for your cooperation.

Sincerely,

/RA/

Christopher Cahill, Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket No. 03038690
License No. 47-35110-01

Enclosure:
Notice of Violation

cc w/Encl: State of West Virginia

WHITE BROTHERS CONSULTING - NRC INSPECTION NO. 03038690/2019001 AND
NOTICE OF VIOLATION DATED January 24, 2020

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| OFFICE | RI/DNMS | RI/DNMS | | | |
| NAME | TJackson/TJJ | CCahill/cgc | | | |
| DATE | 01/23/2020 | 01/24/20 | | | |

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

White Brothers Consulting, LLC
Charleston, WV

Docket No. 03038690
License No. 47-35110-01

During an NRC inspection conducted on October 8, 2019, and continuing in-office through January 14, 2020, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition 12 of License Number 47-35110-01 named a specific individual as the Radiation Safety Officer (RSO) for this license.

Contrary to the above, as of June 26, 2019, the RSO was not available to fulfill that role for the licensee because the person named in the license had departed from the company. No replacement RSO had been identified by the licensee as of October 8, 2019. The failure to maintain the RSO as specified in the license is a violation of NRC requirements. The inspector noted that the licensed materials had been maintained in secure storage and had not been used since the departure of the RSO. As corrective action, the licensee transferred the gauges to another licensee and requested termination of the license by submitting NRC Form 314, signed on November 20, 2019. The license was subsequently terminated by the NRC.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Notice of Violation
White Brothers Consulting, LLC

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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 January 2020