

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Stingray Pressure Pumping, LLC 42739 National Road Belmont, OH 43718 REPORT NUMBER(S) 2020001		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 150-00034	4. LICENSE NUMBER(S) OH-31210990019	5. DATE(S) OF INSPECTION 01/08/2020, with in-office review through 04/24/2020	

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 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)


Title 10 of the Code of Federal Regulations (10 CFR) 150.20(a) provides, in part, that any person who holds a specific license from an Agreement State is granted an NRC general license to conduct the same activity in Non-Agreement States, provided that the provisions of 10 CFR 150.20(b) have been met.

Title 10 CFR 150.20(b)(1) requires, in part, that any person engaging in activities in a non-Agreement State shall, at least three days before engaging in each activity for the first time in a calendar year, file a submittal containing an NRC Form 241, "Report of Proposed Activities in Non-Agreement States," with the Regional Administrator of the appropriate NRC regional office.

(cont'd. on Part 2)

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	Jamie Schrock, RSO		5/12/2020
NRC INSPECTOR	Dennis P. O'Dowd, Health Physicist	Dennis P. O'Dowd <small>Digitally signed by Dennis P. O'Dowd Date: 2020.05.05 16:34:13 -05'00'</small>	
BRANCH CHIEF	Michael Kunowski, Branch Chief	Michael A. Kunowski <small>Digitally signed by Michael A. Kunowski Date: 2020.05.11 17:17:25 -05'00'</small>	

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(Continued)

Contrary to the above, during the period of January 2-7, 2020, Stingray Pressure Pumping, LLC., a licensee of the State of Ohio, possessed and used a portable gauge containing licensed materials at a temporary job site in the State of West Virginia, a non-Agreement state, without first filing a Form 241 with the NRC. Specifically, the company used these materials in NRC jurisdiction for 6 days in 2020, without providing the required documentation to the NRC prior to engaging in this activity for the first time in this calendar year.

This is a Severity Level IV violation (Section 6.9.d.14).

The root cause of the violation was that the licensee's Radiation Safety Officer (RSO), (who left employment with the company in April 2020), suddenly and unexpectedly had to attend to an emergency medical situation involving a family member that lasted over the course of several weeks. During this time, he was not able to file the NRC Form 241, prior to gauge users possessing and using the gauge within NRC jurisdiction. The licensee had permission to work at a temporary job site until December 31, 2019, the end of the calendar year. The RSO had prepared the reciprocity paperwork, but because of the emergency nature of his leaving the office, had not filed the document with the NRC Region III office. The RSO was very upset and concerned as to what had occurred upon his return. As corrective action, the licensee filed an NRC Form 241 dated January 8, 2020, and requested reciprocity with the NRC for the previous six days of licensable activities in January 2020, to continue through to January 27, 2020. Reciprocity was subsequently granted. In addition, the licensee's previous RSO committed to make the necessary improvements in communications to the Assistant RSO and licensee management so as to ensure that future filing for initial reciprocity and reciprocity change requests are carried out in a timely manner, and that gauge users are aware as well so as not to proceed in working in non-Agreement States until authorized.

Subsequent discussions between the inspector and the RSO, as well as the current Acting RSO, confirmed that corrective actions to prevent a future violation of this requirement had been taken. This include improved communications internally within the company's district office in Ohio, as well as communications among all of the company's District Offices. The licensee now utilized a bulletin board in all of its District Offices indicating where work under reciprocity was being conducted. Also posted are reminders to file all required documents with the NRC. In addition, a notice was issued company-wide by the company's Ohio District Manager reminding supervising staff, RSOs, and Assistant RSOs to track all reciprocity activities, including required filings, more carefully.

Docket File Information

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6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01, 03.06, and 03.07	

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Jamie Schrock, Acting RSO	4. TELEPHONE NUMBER (405) 403-5113
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☐ Main Office Inspection Next Inspection Date: No Change

☐ Field Office Inspection Remote telephonic in-office review only

☐ Temporary Job Site Inspection

PROGRAM SCOPE

This was an in-office review of an oilfield services company authorized to possess Cs-137 in Thermo Scientific SGD-O Model 5190 and 5192 Series gauges at its facility in Belmont, Ohio, and at temporary job sites anywhere within the State of Ohio. During the period of the in-office review, the individual named on the license as RSO left employment with the company (in April 2020), and was replaced by an Acting RSO, who also serves as the RSO under the company's radioactive materials license issued by the State of Oklahoma. The licensee has submitted an amendment request to the Ohio Radiation Control Program (RCP) for this individual to be the new RSO. In addition, the individual currently named on the Ohio materials license as Assistant RSO remains in that position.

On January 8, 2020, the inspector was contacted by the licensee's Radiation Safety Officer (RSO) with a request for reciprocity, and informing the NRC that work had been conducted during the previous days prior to the call. During telephonic conversation with this inspector, the RSO explained that he had prepared the paperwork at the end of the year, but due to a sudden and unexpected emergency medical situation involving a family member, had failed to submit the paperwork prior to his attending to the situation. Due to the situation, the RSO was out of the office over the course of several weeks. He notified the NRC upon his return, realizing that licensed activities had already commenced prior to his return. Although the licensee did have an Assistant RSO who carried out the duties and functions of RSO while the RSO was away, so as to ensure that licensed activities were conducted safely, the Assistant RSO, as well as company management, was not made aware that NRC Form 241 reciprocity notification had not been submitted to the NRC Region III office for authorization to work under reciprocity into calendar year 2020. The company had previously worked under reciprocity in NRC jurisdiction, specifically, in West Virginia, a non-Agreement State, in calendar year 2019, up to December 31, 2019.

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03121

2. PRIORITY

5

3. LICENSEE CONTACT

Jamie Schrock, Acting RSO

4. TELEPHONE NUMBER

(405) 403-5113

☐ Main Office Inspection Next Inspection Date: No Change

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PROGRAM SCOPE

As immediate corrective action, the licensee filed a properly completed NRC Form 241, "Report of Proposed Activities in Non-Agreement States," with the NRC Region III office, for the previous 6 days through January 27, 2020. Corrective actions to prevent future violations included improved communications internally within the company's District Office in Ohio, as well as communications among all of the company's District Offices. The licensee utilized a bulletin board in all of its District Offices indicating where work under reciprocity was being conducted. Also posted were reminders to file all required documents with the NRC. In addition, a notice was issued company-wide by the company's Ohio District Manager reminding supervising staff, RSOs, and Assistant RSOs to track all reciprocity activities, including required filings, more carefully.

In addition to the telephone conference on January 8, 2020, and several subsequent telephone conversations with the RSO, the Ohio Radiation Control Program, and the current Acting RSO, the inspector performed additional in-office review, including review of all documentation relevant to this case.

An exit meeting was conducted by telephone on April 24, 2020.

This violation is considered a Severity Level IV violation because (1) the licensed activity is designated as NRC Priority 5 as identified in NRC Manual Chapter 2800; (2) the licensee has not previously violated the requirement; (3) the facts of the specific case would not have resulted in the NRC conducting an onsite inspection; and (4) the circumstances of the case generally include the failure to provide an initial Form 241 for work of very limited scope and single occurrence of a few days within NRC jurisdiction.

O'Dowd, Dennis

From: Jamie Schrock <jschrock@stingraypp.com>
Sent: Tuesday, May 12, 2020 9:45 AM
To: O'Dowd, Dennis
Subject: [External_Sender] RE: [External] Transmittal of Inspection Report Form 591M and Request for Signature/Date and Return
Attachments: Stingray 591M Signed.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. O'Dowd,

Please see attached signed 591M form.

Thanks,
Jamie

From: O'Dowd, Dennis [mailto:Dennis.O'Dowd@nrc.gov]
Sent: Tuesday, May 12, 2020 8:22 AM
To: Jamie Schrock <jschrock@stingraypp.com>
Subject: [External] Transmittal of Inspection Report Form 591M and Request for Signature/Date and Return

[**EXTERNAL EMAIL**]

Mr. Jamie Schrock
Electronics Supervisor, RSO
Stingray Pressure Pumping
10920 NW 10th Yukon, OK 73099

Dear Mr. Schrock:

Please find attached a Form 591M (Parts 1 and 2), "Safety Inspection Report and Compliance Inspection," signed by me and Mr. Michael Kunowski, Chief, Materials Inspection Branch, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission (NRC), Region III, issued in response to our in-office review of the circumstances regarding certain activities that were conducted in NRC jurisdiction, specifically, in West Virginia, a non-Agreement State, for several days at the beginning of January 2020, prior to Stingray Pressure Pumping's filing for reciprocity under Title 10, Code of Federal Regulations (CFR), Section 150.20.

An exit meeting was conducted by telephone with you on April 24, 2020, to discuss the findings. The enclosed Form 591M (Parts 1 and 2) inspection report presents the results of the in-office review.

Based on the results of this in-office review, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The NRC is citing the violation in the enclosed Form 591M because the violation was not identified by you, the licensee, but brought to your attention by officials at the site. The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full

compliance will be achieved is already adequately addressed in the narrative on the form, and therefore, no response is requested.

At this time, I ask that that the row entitled, "Licensee's Representative" be completed, either by you, or by your senior management at your Ohio District Office, to include the printed name, signature, and date, and return to me via email the scanned pages 1 & 2 of the completed Form 591M with name, signature and date added. This documents your commitments that corrective actions have been or will be performed as described in the citation.

Should you have any questions regarding this or any other related matter, please feel free to contact me at the telephone number below. Thank you very much for your cooperation during this in-office review.

Dennis P. O'Dowd

Health Physicist

Materials Inspection Branch

Division of Nuclear Materials Safety

U.S. Nuclear Regulatory Commission

2443 Warrenville Road

Lisle, IL 60532

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630.829.9573 (office)

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