

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED

Marfork Coal Company, LLC
470 Packsville/Marfork Road
Route 3/1
Whitesville, WV 25140

2. NRC/REGIONAL OFFICE

Region 1
2100 Renaissance Blvd
Suite 100
King of Prussia, PA 19406-2713

REPORT NUMBER(s) 2020001

3. DOCKET NUMBER(S)

030-38750

4. LICENSE NUMBER(S)

47-35156-01

5. DATE(S) OF INSPECTION

07/06/2020 - 08/07/2020

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 the 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)

A.

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

Contrary to the above, since January 6, 2018, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, for 2019 and 2020, the licensee had not performed a review of the radiation safety program.

As corrective action, the licensee has initiated a review of their radiation safety program.

This is a Severity Level IV violation (Enforcement Policy 6.3.d.3).

B

10 CFR 20.1502(a)(1) requires, in part, that each licensee shall monitor occupational exposure to radiation from licensed and unlicensed radiation sources under the control of the licensee and shall supply and require the use of individual monitoring devices by adults likely to receive, in 1 year from sources external to the body, a dose in excess of 10 percent of the limits in 10 CFR 20.1201(a).

Contrary to the above, the licensee failed to adequately monitor occupational exposure to radiation sources under their control. Specifically, as of July 16, 2020, the licensee did not have a documented evaluation demonstrating that unmonitored personnel exposure would not exceed the 10 percent limits in 10 CFR 20.1201(a).

As corrective actions, the licensee committed to perform an evaluation within the next 30 days.

This is a Severity Level IV violation (Enforcement Policy 6.3.d.3).

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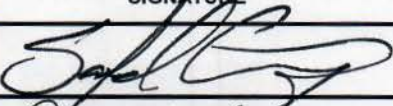
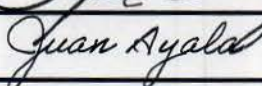
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Statement of Corrective Actions

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	Sanford Garriger, II		8/10/20
NRC INSPECTOR	Juan Ayala		08/07/20
BRANCH CHIEF	Christopher Cahil		