

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED

Puerto Rico Asphalt, LLC
PR-156, Km 5.6
Bo. Las Carolinas
Caguas, PR 00725

2. NRC/REGIONAL OFFICE

Region 1
475 Allendale Rd
Suite 102
King of Prussia, PA 19406

REPORT NUMBER(s) 2022001

3. DOCKET NUMBER(S)

030-19320

4. LICENSE NUMBER(S)

52-19845-01

5. DATE(S) OF INSPECTION

11/30/2022

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)

10 CFR 71.5(a) requires, in part, that a licensee who transports licensed material outside the site of usage, as specified in their NRC license, or where transport is on public highways shall comply with the applicable requirements of the Department of Transportation (DOT) regulations in 49 CFR Parts 171 through 180, appropriate to the mode of transport.

49 CFR 172.704(2) requires, in part, that a hazmat employee must receive the training required by this subpart at least once every three years.

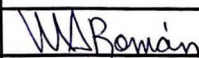
Contrary to the above, from January 26, 2022, through October 22, 2022, the licensee did not ensure that hazmat employees received the training required by this subpart at least every three years. Specifically, three authorized users that frequently transport gauges were last trained on January 26, 2019, and were not retrained until October 22, 2022, a period of time that exceeds three years.

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

Corrective actions included on October 22, 2022 the AUs were trained on DOT HazMat training.

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	Miguel Román		12/20/22
NRC INSPECTOR	Michael Reichard	Michael C. Reichard	<small>Digitally signed by Michael C. Reichard Date: 2022.12.13 12:53:11 -05'00'</small>
BRANCH CHIEF	Christopher Cahill	Christopher G. Cahill	<small>Digitally signed by Christopher G. Cahill Date: 2022.12.13 11:51:48 -05'00'</small>