

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Foth and Van Dyke Associates, Inc. 2737 S. Ridge Rd., Green Bay, WI REPORT NUMBER(S) 2003-001		2. NRC/REGIONAL OFFICE Region III	
3. DOCKET NUMBER(S) 030-28756	4. LICENSE NUMBER(S) 48-18916-02	5. DATE(S) OF INSPECTION 1/30/03	
6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 3.01-3.07		

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, NUREG-1600, 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. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

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			
NRC INSPECTOR	Robert G. Gattone, Jr.	<i>Robert G. Gattone Jr.</i>	1/30/03

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SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Leonard Duquette	4. TELEPHONE NUMBER 920-497-2500
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Main Office Inspection Next Inspection Date: 01/30/2008

Field Office _____

Temporary Job Site Inspection _____

PROGRAM SCOPE

The licensee dispatched several Troxler Model 3430 gauges from its facilities in Green Bay, WI, Eagan, MN, and Madison, WI. The gauges were used by 17 authorized users for moisture and density measurements at temporary job sites in NRC jurisdiction. Licensed activities were not conducted from the Green Bay, WI facility during the inspection. The last gauge was transferred from the Milwaukee, WI facility in 2001, and the facility was unoccupied and secured from unauthorized access by the licensee. The licensee plans to submit an amendment request to release the Milwaukee, WI facility to unrestricted use. Based on staff interviews and review of leak test records, the gauge that used to be stored at the Milwaukee, WI facility was leak tested timely, and the result was negative. Therefore, the Milwaukee, WI facility was not visited.

Performance Observations

The inspector observed: (1) how survey instrument operability checks were done; (2) that gauges were secured as required; (3) that the facility was equipped with smoke detectors; and (4) a demonstration of how a gauge was used.