REVIEWER: Sattar

PLEASE REVIEW; COMPLETE HIGHLIGHTED FIELDS; SIGN LER FORM AND

RETURN TO ME

THANKS

CONNIE

PLEASE INDICATE WHICH OF
THE TWO BELOW APPLIES

PUBLIC ✓ SIBP Review Complete JSL

NON PUBLIC ____

RI - DNMS Licensee Event Report Disposition

Licensee: David Blachman + Assoc.

Event Description: damaged Gauge

License No: 37-25297-01 Docket No: 03036554 LER-RI: 2005-010

Event Date: 4-5-05 Report Date: 4-5-05 HQ Ops Event #:

1. REPORTING REQUIREMENT

- [ ] 10 CFR 20.1906 Package Contamination
- [ ] 10 CFR 20.2201 Theft or Loss
- [ ] 10 CFR 20.2203 30 Day Report
- [ ] Other
- [x] 10 CFR 30.50 Report
- [ ] 10 CFR 35.3045 Medical Event
- [ ] License Condition

2. REGION I RESPONSE

- [x] Immediate Site Inspection — Inspector/Date: Lodhi / April 5, 2005
- [ ] Special Inspection — Inspector/Date:
- [ ] Telephone Inquiry — Inspector/Date:
- [ ] Preliminary Notification/Report
- [X] Information Entered in RI Log
- [ ] Report Referred To:
- [ ] Daily Report
- [X] Review at Next Inspection

3. REPORT EVALUATION

- [x] Description of Event
- [x] Levels of RAM Involved
- [x] Cause of Event
- [x] Corrective Actions
- [ ] Calculations Adequate
- [ ] Additional Information Requested from Licensee

4. MANAGEMENT DIRECTIVE 8.3 EVALUATION

- [ ] Release w/Exposure > Limits
- [x] Repeated Inadequate Control
- [ ] Exposure 5x Limits
- [ ] Potential Fatality
- [ ] Deliberate Misuse w/Exposure > Limits
- [ ] Pkging Failure>10 rads/hr or Contamination>1000x Limits
- [ ] Large# Indivs w/Exp>Limits or Medical Deterministic Effects
- [ ] Unique Circumstances or Safeguards Concerns

If any of the above are involved:

- [ ] Considered Need for IIT
- [ ] Considered Need for AIT

Decision/Made By/Date:

5. MANAGEMENT DIRECTIVE 8.10 EVALUATION (additional evaluation for medical events only)

- [ ] Timeliness - Inspection Meets Requirements (5 days for overdose / 10 days for underdose)
- [ ] Medical Consultant Used-Name of Consultant/Date of Report:
- [ ] Medical Consultant Determined Event Directly Contributed to Fatality
- [ ] Device Failure with Possible Adverse Generic Implications
- [ ] HQ or Contractor Support Required to Evaluate Consequences

6. SPECIAL INSTRUCTIONS OR COMMENTS

~~Note~~ Review licensee's corrective actions.

☑ Public Inspector Signauture: Date: 5-24-05

☐ Non-Public Branch Chief Initials: Date: 5/27/05

Location of File: G:\Reference\Blank Forms\2004 LER FORM.wpd

Rev. 02/01/05

DAVID BLACKMORE & ASSOCIATES, INC.
GEOTECHNICAL & ENVIRONMENTAL ENGINEERS

Project 3401II.L1
April 6, 2005

FAX TRANSMITTAL	# of Pages 5
To: NRC EOC	From: Joe Hughes
Co.	Co. DBA INC.
Date 4-6-05	Phone # (610) 495-6255
Fax # 301 816 5151	Fax # (610) 495-7353

Sattar Lodhi 6103375269
NRC. Rgn I

United States Nuclear Regulatory Commission
Region 1, 475 Allendale Road
King of Prussia, Pennsylvania 19406

ATTN: Mr. Sattar Lodhi

RE: Reported Incident #41564
Rogency at Providence Construction Site
Egypt Road,
Upper Providence Township,
Montgomery County, PA

Dear Mr. Lodhi:

Thank you for coming out to the above noted site to review the conditions of the accidental damage to one of our nuclear density gauges. DBA is forwarding the following incident report to the NRC Emergency Operation Center by fax (301 816 5151) as per their request when telephoned. Their incident number noted above was assigned under a 10CFR 30.50 occurrence.

Time/Date of Incident: 11:00 am, April 5, 2005

Location of Incident: Regency at Upper Providence residential construction site located on Egypt Road, Upper Providence Township, Montgomery County, Pennsylvania.

Contractor: Alan A Myers

Developer: Toll Brothers Inc.

Gauge Licensee: David Blackmore and Associates Inc. (DBA)

Gauge License # 37-28297-01

Subject Gauge Details: Gauge Model CPN model MC1-DRP (converted from MC3) and Gauge Serial #M300405564. Radioactive Material Cs-137, 370 MBq, (10mCi) and Am-241:Be, 1085 GBq, (50 mCi).

Events as Reported by DBA field technician Douglas E. Cummings and the RSO Joseph Hughes:

The gauge was being used at this construction site to measure the density and moisture content of the soils being placed as fill for residential building pads. The gauge has been in use at this particular site by for approximately 3 weeks by the same technician. At approximately 11:00 am the technician and gauge were located on the south side of a topsoil stockpile adjacent to two pick up trucks belonging to the contractor. The contractor foreman asked the technician to evaluate water seepage at the other side of the stockpile. The technician placed the gauge and an orange 5 gallon bucket containing tools on the ground surface and proceeded to the other side of the stockpile. At that time a D5 blade track dozer that was located on top of the stockpile reversed off the pile and ran over the gauge with the right track. The dozer operator stopped the dozer approximately 15' from the crushed gauge and called the technician back to the area. The technician immediately called DBA's Radiation Safety Officer (RSO) Joseph Hughes and cordoned off the area. Caution tape was placed around the cordoned off area. The RSO immediately contacted the USNRC local office at Region 1 and spoke with Jim Lowry to report the incident. Mr. Lowry indicated that NRC personnel was in the area and would meet the RSO at the site momentarily. The RSO arrived on site at approximately 11:15 am and checked the gauge for leakage using a Geiger counter and found no leakage. The RSO checked the dozer and immediate surrounding area for radiation and none was detected. The gauge case was crushed and the rod was severed at the top of the casing. The rod was in the locked position. The gauge electronics were partly damaged. The RSO removed the small loose parts of the casing and electronics and noted the Americium unit and the remaining part of the rod containing Cesium were intact and undisturbed. The gauge was imbedded in soft soil which reduced the overall damage to the gauge. The RSO waited for the NRC personnel to arrive before proceeding further. The RSO was in contact with the NRC office several times during the evaluation to report findings. The NRC personnel Sattar Lodhi arrived at approximately 12:00 pm and interviewed DBA's technician, the RSO, and the Dozer equipment operator. The NRC evaluated the gauge using his Geiger counter and found no signs of leakage. The RSO then removed the damaged gauge

unit and placed it in the CPN transport case and locked the case. Upon discussion with the NRC personnel the incident was reported to the NRC Emergency Operations Center at 3:25 pm and was recorded as a 10CFR 30.50 with an incident identity #41564. The gauge was then transported back to DBA's office approximately 10 miles from the site. The RSO telephoned the gauge manufacturer CPN and arranged for shipment on same day. The gauge was shipped that afternoon at 4:30 pm via Fed Ex to the CPN office at 2830 Howe Rd, Martinez, California 94553.

If you have any questions regarding this letter please contact our office.

Sincerely,
DAVID BLACKMORE & ASSOCIATES, INC.

Joseph Hughes

301

15.25 pm

BILL OF LADING

Shipper: David Blackmore & Associates, Inc.
3335 West Ridge Pike
Pottstown, PA 19464

RQ, RADIOACTIVE MATERIAL, SPECIAL FORM, UN3332
CLASS 7, TYPE "A" PACKAGE, CONTAINING:

Cs-137, 370 MBq, (10 mCi)
Am-241:Be, 1085 GBq (50 mCi)

RADIOACTIVE YELLOW II LABEL, TI=0.4

CPN MODEL MC3
SERIAL NUMBER M300405564

DBA GAUGE #4

****** EMERGENCY CONTACT ******
OFFICE: (610) 495-6255
HOME: (610) 539-7918
MOBILE: (484) 576-0773

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

SHIPPER _____
(signature)

NRC FORM 374 U.S. NUCLEAR REGULATORY COMMISSION PAGE 1 OF 4 PAGES

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee	
1. David Blackmore & Associates	3. License number 37-28297-02
2. 3335 West Ridge Pike Pottstown, Pennsylvania 19464	4. Expiration date April 30, 2014
	5. Docket No. 030-36556 Reference No. 37-28297-01

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Cesium 137.	A. Sealed Sources (CPN International Model CPN-131; Humboldt Scientific Dwg. No. 2200064)	A. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State
B. Americium 241	B. Sealed Sources (CPN International Model CPN-131; Humboldt Scientific Dwg. No. 2200067)	B. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State

9. Authorized use:

A. and B. In CPN International, Inc., Model MC series, and Humboldt Scientific, Inc., Model No. 5001 portable gauging devices for measuring physical properties of materials.

DAVID BLACKMORE & ASSOCIATES, INC.
GEOTECHNICAL & ENVIRONMENTAL ENGINEERS

Project 3401I1L1
April 6, 2005

United States Nuclear Regulatory Commission
Region 1, 475 Allendale Road
King of Prussia, Pennsylvania 19406

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3335 WEST RIDGE PIKE • POTTSTOWN, PENNSYLVANIA 19464
610/495-6255 • FAX: 610/495-7353

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SHIPPER _____
(signature)

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