



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005

August 24, 2006

Michael Lynn, Roads Director  
Cherokee Nation - Roads Program  
P.O. Box 948  
Tahlequah, Oklahoma 74465-0948

SUBJECT: NRC INSPECTION REPORT 030-33920/06-001 (NRC FORM 591M)

Dear Mr. Lynn:

This letter and the enclosed NRC Form 591M refer to the inspection conducted August 9 through August 15, 2006, at your facility in Tahlequah, Oklahoma. This inspection was an examination of activities conducted under the authority of Byproduct Materials License 35-27525-01 as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of the license. At the conclusion of the inspection, a preliminary exit briefing to discuss the inspection findings was conducted with you and Mr. Barry Hood. A final exit briefing was conducted telephonically with you on August 15, 2006.

Within the scope of this inspection, no violations were identified; therefore, no response to this letter or the enclosed NRC Form 591M is required.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions concerning this inspection, please contact me at 817-860-8217.

Sincerely,

*/RA/*

Christi Maier, Health Physicist  
Nuclear Materials Inspection Branch

Docket No.: 030-33920  
License No.: 35-27525-01

Enclosure: As stated

cc w/enclosure:  
Oklahoma Radiation Control Program Director

bcc w/enclosure (via ADAMS e-mail distribution):

LDWert

CLCain

VHCampbell

JEWhitten

NMIB Inspector

KEGardin

NMIB

RIV Materials Docket File - 5<sup>th</sup> floor

SUNSI Review Completed: MCM1 ADAMS: : Yes  No  Initials: MCM1  
: Publicly Available  Non-Publicly Available  Sensitive  : Non-Sensitive

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RIV:DNMS:NMIB	C:NMIB
MCMaier	VHCampbell
<b>/RA/</b>	<b>/RA/</b>
08/18/2006	08/24/2006

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T=Telephone

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F=Fax

**SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION**

1. LICENSEE/LOCATION INSPECTED: <b>Cherokee Nation - Roads Program</b> <b>Hwy 62, 1/2 mile west of Junction with Hwy 82</b> <b>Tahlequah, Oklahoma 74464</b>	2. NRC/REGIONAL OFFICE <b>USNRC Region IV</b> <b>611 Ryan Plaza Drive, Suite 400</b> <b>Arlington, Texas 76011-4005</b>
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REPORT NUMBER(S) 2006-001

3. DOCKET NUMBER(S) 030-33920	4. LICENSEE NUMBER(S) 35-27525-01	5. DATE(S) OF INSPECTION August 9 - 15, 2006
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**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) was/were discussed involving the following requirement(s) and Corrective Action(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.

(Violations and Corrective Actions)

**Licensee's Statement of Corrective Actions for Item 4, above.**

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			
NRC INSPECTOR	Christi Maier, Health Physicist	/RA/	08/17/2006