

NRC FORM 591M PART 1 **U.S. NUCLEAR REGULATORY COMMISSION**
 (10-2003)
 10 CFR 2.201

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Ottawa County Road Commission 14110 Lakeshore drive Grand Haven, MI 49417 REPORT 2007-001	2. NRC REGIONAL OFFICE REGION III US NUCLEAR REGULATORY COMMISSION 2443 WARRENVILLE ROAD, SUITE 210 LISLE, ILLINOIS 60532	
3. DOCKET NUMBER(S) 030-31317	4. LICENSEE NUMBER(S) 21-26063-01	5. DATE(S) OF INSPECTION March 28, 2007

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)



License Condition 14 A of NRC License 21-26063-01 states that sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by NRC under 10 CFR 32.210 or by an Agreement State. During this time interval, the Certificate of Registration for the device required leak testing to be conducted every six months.

Contrary to the above, the licensee leak tested the sealed source in the device on October 2006 and the previous leak test had been conducted in February 2005.

As a corrective action, the licensee has agreed to have the device leak tested according to the present Certificate of registration which is now annually.

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	JEFFREY P. MUSSATTO		4.3.07
NRC INSPECTOR	Ed Kulzer		MARCH 28, 2007

MLO71010316

**Docket File Information
SAFETY INSPECTION REPORT
AND COMPLIANCE INSPECTION**

1. LICENSEE Ottawa County Road Commission		2. NRC/REGIONAL OFFICE Region III	
REPORT 2007-001			
3. DOCKET NUMBER(S) 030-31317	4. LICENSE NUMBER(S) 21-26063-01	5. DATE(S) OF INSPECTION March 28, 2007	
6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01 - 03.07		
SUPPLEMENTAL INSPECTION INFORMATION			
1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Jeffery Mussato	4. TELEPHONE NUMBER 231.842.5400
<input checked="" type="checkbox"/> Main Office Inspection <input type="checkbox"/> Field <input type="checkbox"/> Temporary Job Site		Next Inspection Date: <u>March 2012</u>	

PROGRAM SCOPE

The licensee has a small engineering department that employs 50 individuals. The licensee possesses one Troxler moisture density gauge (Serial No. 33919), for use daily/weekly during the construction season (May-November) for soils engineering projects. The licensee does not perform any service or maintenance activities on its gauge; these services are performed by the manufacturer. Currently, the licensee employs two authorized gauge users who have completed manufacturer's training. Device is stored in a locked room in the licensee's office in Grand Haven, Michigan.

Performance Observations

At the time of this inspection, the gauge was not in use. The operator possessed required shipping papers which contained all appropriate information and were accessible in the transport vehicle. Gauge/case was locked and chained to the rear of the vehicle during transport. The operator demonstrated an adequate level of understanding of emergency and handling procedures during job-site interviews. Security during transport and at the job-site was described and observed respectively with no problems noted. The inspector performed independent and confirmatory radiation measurements which indicated similar results as noted in the licensee's survey records.

The inspector, in his records review, found that the gauge had not been leak tested at the appropriate intervals. **A violation of license condition 14A was issued when the licensee failed to produce the required document.**