

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: EC & S Engineering, Inc. 2748 Garfield Road N. Suite 9 Traverse City, MI 49686		2. NRC/REGIONAL OFFICE REGION III US NUCLEAR REGULATORY COMMISSION 2443 WARRENVILLE ROAD, SUITE 210 LISLE, ILLINOIS 60532	
REPORT	2007-001		
3. DOCKET NUMBER(S) 03035678	4. LICENSEE NUMBER(S) 21-32310-01	5. DATE(S) OF INSPECTION March 26, 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 11A of NRC License 21-32310-10 states that Peter LeClerc is the Radiation Safety Officer.
Contrary to the above, Mr. LeClerc left the company in October 2006. Since that time the gauges have been in storage and not been used in the field.

Corrective Action: The Licensee has appointed Mr. Greenan the authorized user to be the RSO. Mr. Greenan is only other authorized user at this facility and is the President of the Engineering Division. Mr. Greenan has faxed the License Amendment into NRC Region III on March 26, 2007.

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	Garth Greenan		3/26/07
NRC INSPECTOR	Ed Kulzer		March 26 2007

Docket File Information
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AND COMPLIANCE INSPECTION**



1. LICENSEE EC & S Engineering, Inc. REPORT 2007-001	2. NRC/REGIONAL OFFICE Region III
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6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01 - 03.07
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SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Peter LeClerc	4. TELEPHONE NUMBER 231.941.2366
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Main Office Inspection Next Inspection Date: March 2012

Field _____

Temporary Job Site _____

PROGRAM SCOPE

The licensee is a small engineering firm that employs 35 individuals. The licensee possesses two Troxler moisture density gauges (Serial Nos. 32204 and 12882) 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 gauges; these services are performed by the manufacturer. Currently, the licensee employs one authorized gauge user who has completed manufacturer's training. Device is stored in a vault in the licensee's office in Traverse City, Michigan.

Performance Observations

At the time of this inspection, the gauges were not in use. The operator possessed required shipping papers which contained all appropriate information and were accessible in the transport vehicle. Gauge/case were 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.

At the time of the inspection, the Radiation Safety Officer (RSO) on the NRC License 21-32310-01, was Peter LeClerc. Mr. LeClerc had left the company in October of 2006. **Mr. Greenan was the only other authorized user on the license. The NRC inspector requested that Mr. Greenan fax a request into NRC Licensing Branch requesting a license amendment to make him the RSO. This was faxed before the NRC inspector left the facility. This was recorded as a violation on license condition 11A.**