June 24, 2008

Marshall Grazioli, P.E.
Radiation Safety Officer
Hubbell, Roth & Clark, Inc
2001 Centerpoint Parkway, Suite 109
Pontiac, MI 48341

SUBJECT: NRC SPECIAL INSPECTION REPORT NO. 030-33835/2008-001(DNMS)

Dear Mr. Grazioli:

This refers to the special inspection conducted on May 20, 2008, at your Pontiac, Michigan facility with continued in office review through June 6, 2008 (awaiting police report). The purpose of the inspection was to follow up on the theft of your Troxler Model 3400 portable moisture/density gauge (gauge) that occurred on May 17, 2008, in Detroit, Michigan. The results of the inspection were discussed with you and members of the staff at the conclusion of the onsite inspection.

The inspection, a copy of the report of which is enclosed, consisted of an examination of activities conducted under your license as they relate to compliance with NRC rules and regulations. Within these areas, the inspection consisted of a selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of the inspection, the NRC has determined that no violations of NRC rules and regulations occurred on your part as a result of the theft of the gauge.

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.

We will gladly discuss any question you have concerning this inspection.

Sincerely,
/RA/
Patrick L. Louden, Chief
Materials Inspection Branch

Docket No. 030-33835
License No.: 21-26646-01

Enclosure:
Inspection Report No.: 030-33835/2008-001(DNMS)

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Letter to Marshall Grazioli, P.E. from Patrick L. Louden dated June 24, 2008

SUBJECT: NRC SPECIAL INSPECTION REPORT NO. 030-33835/2008-001(DNMS)
HUBBELL, ROTH & CLARK, INC.

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REGION III

Docket No.:	030-33835
License No.:	21-26646-01
Report No.:	030-33835/2008-001(DNMS)
Licensee:	Hubbell, Roth & Clark, Inc.
Location Inspected:	2001 Centerpoint Parkway Suite 109 Pontiac, Michigan
Inspection Date:	May 20, 2008
Exit Meeting:	May 20, 2008
Inspector:	George Parker, Health Physicist
Approved by:	Patrick L. Louden, Chief Materials Inspection Branch

Enclosure

EXECUTIVE SUMMARY

Hubbell, Roth & Clark, Inc.
Pontiac, Michigan
NRC Inspection Report 030-33835/2008-001(DNMS)

This was a special inspection conducted on May 20, 2008, to review the circumstances associated with the licensee's report that a Troxler Model 3401 portable moisture/density gauge (gauge) was stolen along with the licensee's van from a restaurant parking lot on May 17, 2008, in Detroit, Michigan. The theft occurred while an authorized user was dining in the restaurant. The inspector determined that the gauge had been properly secured in the van using two cables and two padlocks in accordance with the two barriers rule and that the gauge was not visible to passers by.

The inspector determined that the licensee's van was stolen from the restaurant parking lot without regard to the gauge being located inside.

Report Details

1 Program Scope and Inspection History

Hubbell, Roth & Clark, Inc. (licensee) is an engineering firm located in Pontiac, Michigan that evaluates physical properties of materials at various work sites in Michigan. The licensee is authorized to possess and use portable gauges at temporary job sites anywhere in the United States where the NRC maintains regulatory authority. At the time of the inspection, the licensee possessed 13 Troxler 3400 series moisture/density gauges and the licensee has 15 authorized users that have completed a training class for gauge users.

The licensee has not been the subject of escalated enforcement for the two previous inspections. No violations were identified during the most recent inspection conducted on November 30, 2006.

2 Event Chronology

2.1 Inspection Scope

The inspector interviewed the licensee's Radiation Safety Officer (RSO) and the authorized gauge user who was in possession of the gauge at the time the gauge was stolen. The inspector also observed selected licensed activities at the Pontiac, Michigan location, and reviewed selected licensee records.

2.2 Observations and Findings

On May 17, 2008, an authorized gauge user stopped at a restaurant near his job site in Detroit, Michigan to await a call from a contractor indicating when soil compaction testing could begin. At the time the authorized user stopped at the restaurant, the gauge was secured in the right rear corner of the van and was not visible to passers-by. The authorized user indicated that the gauge was secured in the van in accordance with the two barriers requirement when he went into the restaurant and that the van locked. As the authorized user was preparing to exit the restaurant, he observed an unidentified male drive off with the van. The authorized user attempted to give chase, but was unsuccessful in his efforts. The authorized user notified the corporate RSO and the Detroit Police Department of the theft. At the time of the inspection, efforts to recover the vehicle and gauge had been unsuccessful.

2.3 Conclusions

The inspector concluded that the gauge had been properly secured in accordance with the two barriers rule and that theft of the gauge was secondary to the theft of the van.

3 Notifications and Reports

3.1 Inspection Scope

The Inspector interviewed the RSO and reviewed the licensee's event report to determine that the appropriate notifications and reports had been made to the NRC concerning the event.

3.2 Observations and Findings

The licensee notified the NRC regarding the stolen gauge on May 19, 2008, as required by 10CFR 20.2201(a)(i) and followed up with a written report with in 30 days.

3.3 Conclusions

The licensee made the notifications required by 10 CFR 20.2201.

4 Exit Meeting Summary

The inspector discussed the preliminary conclusions, as described in this report, with licensee management during the exit meeting conducted at the licensee's facility on May 20, 2008. The inspector discussed the activities reviewed and the inspection findings. The licensee did not identify any information reviewed during the inspection and proposed for inclusion in the report as proprietary in nature.

Partial List of Personnel Contacted

Walter H. Alix, Vice President
Marshall J. Grazioli, RSO
Lynn Cummings, Authorized User