

P.O. Box 2488; Casper, Wyoming 82602  
(307) 473-9581 FAX (307) 235-0144

**McMurry Ready Mix**

**Fax**

To: U.S. Nuclear Regulatory Commission

From: David Hornbeck

Attn: Rick Munoz

Fax: (817) 860-8188

Pages: 6 (including cover)

Phone: (817) 860-8220

Date: 6/20/2008

Re: Response to NOV Docket No. 030-30342 CC:

Urgent     For Review     Please Comment     Please Reply     Please Recycle

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Mr. Munoz,

Included is the NOV response I mailed April 8, 2008, to the U.S. NRC Document Control Desk. I may have been in error in where I mailed the response. Also included is my correspondence with Roberto Torres regarding the license name change.

Please contact me with any additional requests or comments.

J. David Hornbeck  
Safety/Environmental Director  
McMurry Ready Mix Co.  
(307) 473-9581  
daveh@mcmurryreadymix.com

Ready Mix Concrete  
Sand & Gravel  
Heavy Construction



P.O. Box 2488  
Casper, WY 82602  
Office (307) 473-9581  
Batch plant 473-7625  
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April 17, 2008

Roberto Torres  
611 Ryan Plaza Dr.  
Suite 400  
Arlington, TX 76011-4005

RE: License Name Change Request  
License No. 49-26916-01  
Docket No. 030-30342

Mr. Torres,

Please find enclosed a license name change request form for the above identified NRC license. This name change has been prompted by an inspection conducted by you and Rick Munoz at the McMurry Ready Mix Co. facility located in Casper, Wyoming. The license is currently in the name of Rissler & McMurry Company. The name on the license is to be changed to McMurry Ready Mix Co. I am to be the new contact and the RSO identified on the license. All other criteria of the license is to remain unchanged.

This license name change has been identified on the reply to notice of violation I have submitted to the NRC Document Control Desk. Please contact me with any questions or comments regarding this submission.

Sincerely,

J. David Hornbeck  
Safety/Environmental Director  
McMurry Ready Mix Co.  
(307) 473-9581  
daveh@mcmmurryreadymix.com

jdh/  
enclosure

Information Required for Change of Control and/or Change of Ownership  
(to include a name change)

Source: NUREG-1556, Volume 15

Please provide the following information concerning changes of control (transferor and/or transferee, as appropriate). If any items are not applicable, so state.

1. Provide a complete description of the transaction (i.e., transfer of stocks or assets, or merger). Indicate whether the name has changed and include the new name. Include the name and telephone number of a licensee contact who NRC may contact if more information is needed.

A. Description of the transaction:

A name change is requested on NRC License No. 49-26916-01.

B.  No name change

New name of licensed organization: McMurry Ready Mix Co.

C.  No change in contact

New contact: J. David Hornbeck

New telephone number: \_\_\_\_\_

2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel.

A.  No changes in personnel having control over licensed activities.

Changes in personnel having control over licensed activities (e.g. officers of a corporation):

B.  No changes in personnel named in the license.

Changes in personnel named in the license (e.g. RSO, AUs) - include training, experience and responsibilities:

J. David Hornbeck as RSO

3. Describe, in detail, any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.

Organization:

Equipment:

Location:

Procedures:

Facility:

Not applicable  
Name change only.

4. Describe the status of the surveillance program (i.e., surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.

A. Description of the status of all surveillance program:

Not applicable. Name change only.

B. Surveillance Items & Records: calibrations, leak tests, surveys, inventories, and accountability requirements will be current at the time of transfer

[ ] Yes [ x ] No (explain) Not application. Name change only.

5. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.

Records transferred to:

[ ] New licensee [ ] NRC for license termination [ x ] Not applicable

6. Confirm that the transferee will abide by all constraints, conditions, requirements and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.

\_\_\_\_\_ will abide by all constraints, conditions, requirements and commitments of \_\_\_\_\_  
(transferee company) (transferor company)

Signature/Title  
Transferee Official

Signature/Title  
Transferor Official

\_\_\_\_\_ date

\_\_\_\_\_ date

OR

[ x ] Description of proposed licensed program from transferee attached (with signature)

OR

[ ] Not applicable (name change only)

J. David Hornbeck  
Certifying Officer - Signature  
J. David Hornbeck  
Safety/Environmental Dir., RSO  
Certifying Officer - Typed name and title

4-17-2008  
Date

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April 8, 2008

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555

RE: Reply To Notice of Violation  
Docket No. 030-30342  
License No. 49-26916-01

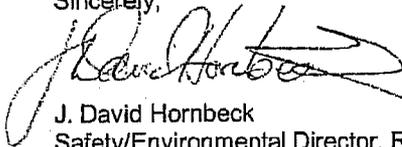
Sir or Madam,

The NRC conducted an inspection on February 12, 2008, of the McMurry Ready Mix Co. facility. The five determined (5) violations of NRC requirements and the corrective actions taken by McMurry Ready Mix Co. are as follows:

- A) License Condition 22 of License No. 49-26916-01
  - (1) Due to employee turn-over in the position of company safety director/RSO, the issue of addressing company name change was not addressed on NRC License No. 49-26916-01.
  - (2) The name change requirement on the NRC license has been brought to the attention of the current company safety director/RSO and the appropriate name change documents have been submitted to the NRC.
  - (3) Conditions of NRC License No. 49-26916-01 will be reviewed at least annually to identify any need for amendment(s).
  - (4) Appropriate name change documentation will be submitted to NRC no later than April 18, 2008.
  
- B) License Condition 12 of License No. 49-26916-01
  - (1) Due to employee turn-over in the position of company safety director/RSO, the issue of identifying a new company RSO was not addressed.
  - (2) The new company RSO has been identified on the company name change documents that will be submitted to NRC.
  - (3) Conditions of NRC License No. 49-26916-01 will be reviewed at least annually to identify any need for amendment(s).
  - (4) Appropriate name change documentation will be submitted to NRC no later than April 18, 2008.
  
- C) Subpart H to 49 CFR Part 172
  - (1) Due to turn-over in the position of company safety director /RSO, the issue of conducting required hazmat refresher training was not addressed.
  - (2) The required hazmat refresher training for the company's authorized portable nuclear gauge users has been scheduled.
  - (3) Training requirements of the company's authorized portable nuclear gauge users will be reviewed at least annually to identify the need for initial or recurrent training.
  - (4) Required hazmat refresher training for the company's authorized portable nuclear gauge users will be completed no later than April 30, 2008.

- D) 10 CFR 20.1101(c)
- (1) Due to employee turn-over in the position of company safety director/RSO, periodic review of the company radiation protection program did not occur.
  - (2) A review schedule has been established for the company radiation safety program. The review will be conducted at least annually.
  - (3) An annual review of the company's portable nuclear gauge use program will included a review of the radiation protection program.
  - (4) The baseline review of the company's overall portable nuclear gauge use program will be completed by April 30, 2008.
- E) License Condition 16 of License No. 49-26916-01
- (1) Due to the turn-over in the position of company safety director/RSO, regular inspections to verify portable gauge locking devices were not conducted.
  - (2) Trigger locks have been placed on all company owned portable nuclear gauges. These locks will be used in conjunction with secondary locks.
  - (3) Company employees who are authorized users of company portable nuclear gauges have been instructed to use the lock(s) assigned to each gauge and report any damaged or missing gauge locks.
  - (4) The necessary locks have been acquired and assigned to each company portable nuclear gauge. This requirement was completed on April 8, 2008.

Sincerely,



J. David Hornbeck  
Safety/Environmental Director, RSO  
McMurry Ready Mix Co.

jdh/