

**SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION**

<b>1. LICENSEE/LOCATION INSPECTED:</b> City of Fort Wayne, Technical Services Department 401 East Masterson Avenue Fort Wayne, Indiana  <b>REPORT NUMBER(S)</b> 2009-001		<b>2. NRC/REGIONAL OFFICE</b>  <b>Region III</b> <b>U.S. Nuclear Regulatory Commission</b> <b>2443 Warrenville Road, Suite 210</b> <b>Lisle, Illinois 60532-4351</b>	
<b>3. DOCKET NUMBER(S)</b> 030-29002	<b>4. LICENSEE NUMBER(S)</b> 13-16526-02	<b>5. DATE(S) OF INSPECTION</b> March 31, 2009	

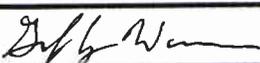
**LICENSEE:**  
 The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations 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	Geoffrey M. Warren		3/31/09

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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 Dean Stout, RSO	4. TELEPHONE NUMBER 260-427-1245
<input checked="" type="checkbox"/> Main Office Inspection		Next Inspection Date: March 2014	
<input type="checkbox"/> Field Office			
<input type="checkbox"/> Temporary Job Site Inspection			

**PROGRAM SCOPE**

The licensee was the city laboratory facility which performed soil moisture/density testing for road and building sites in and around Fort Wayne, Indiana. The licensee possessed and used four gauges as described on the license. The gauges were used approximately every two months during construction season from April through November. The gauges were secured in accordance with 10 CFR 30.34(i) both in the licensee's facility and in vehicles when unattended. The licensee did not perform any service or maintenance activities on the gauge. The licensee employed ten gauge users who had completed gauge training. The licensee knew where to obtain a survey instrument if needed during an emergency situation.

**Performance Observations**

The gauges were not in use at the time of the inspection. The inspector observed gauge storage at the licensee's facility, and licensee personnel demonstrated gauge use, transport, and storage in a vehicle, and explained emergency procedures. The inspector identified no concerns with these activities. Interviews with licensee personnel indicated adequate knowledge of radiation safety procedures and policies. Surveys of the gauge storage area indicated radiation levels appropriate for unrestricted areas and consistent with licensee postings.

The inspector closed a violation from the previous inspection conducted in March 2004. The licensee had been cited for the failure to lock either the gauge or the case while the gauges were in storage. The inspector determined that all four gauges were locked while in storage and that gauge users knew to ensure the gauges were locked while not under direct supervision. Based on this determination, the violation is considered closed.

The lab facility is in a fenced enclosure, with a locked gate. The next inspector should call the above telephone number upon arrival to gain access to the facility.