

U.S. NUCLEAR REGULATORY COMMISSION

NRC FORM 591M PART 1
 (10-2009)
 10 CFR 2.201

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: State of Delaware Department of Transportation P.O. Box 778 Dover, Delaware 19903 REPORT Nos 2009-001		2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region I, 475 Allendale Road King of Prussia, Pennsylvania 19406-1415	
3. DOCKET NUMBER(S) 03003882	4. LICENSE NUMBER(S) 07-13947-01	5. DATE(S) OF INSPECTION April 23, 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-replicative, 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.

Condition 10 of NRC License No. 07-13947-01 requires, in part, that licensed material may be stored at the licensee's facilities located at Delaware DOT Materials & Research Building, Bay Road, Dover, Delaware; DE, DOT, 800 Bay Road, Dover, DE; and North Project Field Control Office, Highway Maintenance Yard, 501 Newport Gap Pike, Newport, DE. Contrary, to the above as of April 17, 2009, the licensee was storing 8 portable gauges at a DOT facility located at 250 Bear Christlana Rd., Bear, DE. The licensee will submit a request to amend their license to name this new storage location.

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	MAUREEN E. KELLEY		27 APR. 09
NRC INSPECTOR	Judith A. Joustra		4/27/09

NRC FORM 591M PART 1 (Rev. by RI 07/06)

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SUNSI Review Completed By: / RA / J. A. Joustra

Public Non-Sensitive