

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

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| 1. LICENSEE/LOCATION INSPECTED: Buzzi Unicem USA 1000 River Cement Road Festus, Missouri 63028 REPORT NUMBER(S) 2009-001 | | 2. NRC/REGIONAL OFFICE Region III U.S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, Illinois 60532-4351 | |
| 3. DOCKET NUMBER(S) 030-37781 | 4. LICENSEE NUMBER(S) 24-32703-01 | 5. DATE(S) OF INSPECTION May 12, 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 |  | 5/12/09 |

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| 6. INSPECTION PROCEDURES USED 87124 | | 7. INSPECTION FOCUS AREAS 03.01 – 03.07 | |

SUPPLEMENTAL INSPECTION INFORMATION

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| 1. PROGRAM CODE(S) 03120 | 2. PRIORITY 5 | 3. LICENSEE CONTACT Nicholas Rice, RSO, Quality Manager | 4. TELEPHONE NUMBER 636-931-2502 |
| <input checked="" type="checkbox"/> Main Office Inspection | | Next Inspection Date: May 2010 | |
| <input type="checkbox"/> Field Office | | | |
| <input type="checkbox"/> Temporary Job Site Inspection | | | |

PROGRAM SCOPE

This was an initial inspection of the licensee's activities.

The licensee was a production company, manufacturing Portland cement at the facility in Festus, Missouri. At the time of the inspection, the licensee had received the material analyzer, and planned to have it installed in June 2009. In the meantime, the device remained in secured storage. The level gauges authorized by the license remained on order, and the radiation safety officer (RSO) expected to receive them in June 2009. Upon full operation, the licensee planned to possess one material analyzer and four level gauges. The RSO stated that all installation, maintenance, and removal of the gauges would be performed by manufacturer personnel, that he intended to return any removed gauges to the manufacturer instead of keeping them in storage, and that all devices would have a direct feed to the control room so that any problems would be quickly noticed. In addition, the RSO stated that the licensee planned to acquire a radiation survey meter and have it calibrated annually.

Performance Observations

The inspector observed the gauge in secure storage. The RSO described the planned training program, leak testing and lockout/tagout programs, and described posting of the areas surrounding the gauges. Interviews with licensee personnel indicated adequate knowledge of radiation safety procedures and concepts. Surveys of the gauge storage area indicated radiation levels consistent with the licensee's postings.

Following discussions with the acting branch chief, the inspector set the next inspection for one year instead of five years because the licensee had not actually begun operations at the time of the inspection.