

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: HERZOG CONSTRUCTION CORP. 600 S RIVERSIDE RD ST. JOSEPH, MISSOURI REPORT NUMBER(S) 2009/001		2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region III 2443 Warrenville Road Suite 210 Lisle, Illinois 60532-4351	
3. DOCKET NUMBER(S) 030-32650	4. LICENSEE NUMBER(S) 24-26380 01	5. DATE(S) OF INSPECTION 10/7/09	

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	E. L. KULZKA	E. L. Kulzka	10/7/09

JKS

Part 1 ✓

**SAFETY INSPECTION REPORT
AND COMPLIANCE INSPECTION**

1. LICENSEE Herzog Contracting Corp. REPORT NUMBER(S) 2009-001		2. NRC/REGIONAL OFFICE Region III 2443 Warrenville Road, Suite 210 Lisle, IL 60532	
3. DOCKET NUMBER(S) 030-32650	4. LICENSE NUMBER(S) 24-26380-01	5. DATE(S) OF INSPECTION 10/07/2009	
6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01-03.07		

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 3121	2. PRIORITY 5	3. LICENSEE CONTACT Ivan Bounds	4. TELEPHONE NUMBER 816.233.9001
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Main Office Inspection Next Inspection Date: 10/2014

Field Office _____

Temporary Job Site Inspection _____

PROGRAM SCOPE

The licensee is a civil engineering company that performed soil density and asphalt testing in Missouri within 50 miles of St. Joseph. The licensee possessed one Troxler gauge for use during the construction season, from May through November. The licensee stored the gauge at its facility on Hwy. 36 in Elwood, Kansas. The licensee did not perform any service or maintenance activities on the gauge. The licensee employed six gauge users who had completed the manufacturers training.

Performance Observations

The licensee described procedures at a temporary jobsite since no such jobsite was available at the time of the inspection. Interviews of licensee personnel indicated an adequate knowledge of radiation safety. The radiation safety officer (RSO) possessed required shipping papers which contained all appropriate information and were accessible in the transport vehicle. Licensee personnel were able to describe security during transport and at the job-site was described with no problems noted.