

INSPECTION RECORD

Region III Inspection Report No. 10-01 License No. 21-05199-02  
Docket No. 030-07188

Licensee (Name and Address):  
State of Michigan Department of Natural Resources and Environment  
815 Filley Street, Lansing, MI

Location (Authorized Site) Being Inspected  
Above and 815 Terminal Drive, Lansing, MI

Licensee Contact: Robert D. Skowronek, RSO Telephone No. 517-241-1253

Priority: 5 Program Code: 03710

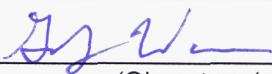
Date of Last Inspection: Sept. 14, 2005 Date of This Inspection: Sept. 1, 2010

Type of Inspection: ( ) Initial ( ) Announced ( ) Unannounced  
( X ) Routine ( ) Special

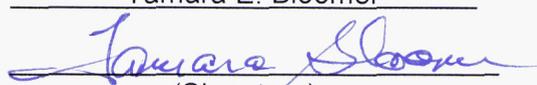
Next Inspection Date: Sept. 2015 ( X ) Normal ( ) Reduced  
Justification for reducing the routine inspection interval: N/A

Summary of Findings and Actions:

- ( ) No violations cited, clear U.S. Nuclear Regulatory Commission (NRC) Form 591 or regional letter issued
- ( ) Non-cited violations (NCVs)
- ( ) Violation(s), Form 591 issued
- ( X ) Violation(s), regional letter issued
- ( ) Followup on previous violations

Inspector(s) Geoffrey M. Warren  
  
(Signature(s))

Date 12/1/10

Approved Tamara E. Bloomer  
  
(Signature)

Date 11/30/10

## PART I-LICENSE, INSPECTION, INCIDENT/EVENT, AND ENFORCEMENT HISTORY

### 1. AMENDMENTS AND PROGRAM CHANGES:

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
31	Apr. 2010	Add location of use, source
30	Dec. 2009	Add source
29	Sept. 2009	Correction to previous amendment
28	Aug. 2008	Add calibrator sources
27	Aug. 2007	Renewal, removal of authorized sites

### 2. INSPECTION AND ENFORCEMENT HISTORY:

No violations were cited as a result of the two previous inspections in Sept. 2005 and 1999.

### 3. INCIDENT/EVENT HISTORY:

None.

## PART II - INSPECTION DOCUMENTATION

### 1. ORGANIZATION AND SCOPE OF PROGRAM:

The licensee, an agency of the State of Michigan, operated a laboratory for analysis of environmental samples taken from around the State. One individual performed test procedures daily in the laboratory area, including air, water, milk, soil, and other tests. The Radiation Safety Officer (RSO) also performed analyses when needed.

The licensee also operated a calibrator source as described on the license for calibration of survey instruments. At the time of the inspection, the new calibrator had not been installed. Approximately eight personnel were trained and authorized for occasional use of the calibrator source.

### 2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: 87126

Focus Areas Evaluated: 03.01 – 03.07

The inspector observed the licensee performing analysis of environmental samples, and licensee personnel described calibration procedures, package receipt and shipment, analysis of a variety of sample types, and contamination control procedures. Interviews with licensee personnel indicated adequate knowledge of radiation safety procedures and concepts.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

The inspector performed surveys of licensee areas which indicated radiation levels consistent with licensee postings and survey records, using a Ludlum model 2403 survey meter due for calibration in April 2011.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

10 CFR 30.36(c)(2) requires that the licensee continue to control entry to restricted areas until they are suitable for release in accordance with NRC requirements.

10 CFR 30.36(j)(2) requires that, as the final step in decommissioning, the licensee conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates in some other manner that the premises are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E. 10 CFR 30.36(j)(2)(i) requires, in part, that the licensee report, as appropriate, levels of radioactivity – removable and fixed – for surfaces.

The inspector determined that the licensee had released the facility located at 815 Terminal Road in Lansing, Michigan, in July 2010, but had not yet completed the analysis necessary to determine that the facility was suitable for release. At the time of the inspection, licensee personnel had not yet completed the wipe tests or the final analysis to determine that the facility met release criteria. According to the RSO, they had completed their surveys prior to their move-out date, but had not completed the analysis; they stated they would request removal of the site from their license once this was completed.

The root cause of this violation was the licensee's incomplete understanding of the decommissioning requirements, and the pressure to leave the building by the move-out date was a contributing factor. As corrective action, the licensee: (1) regained control of the area, (2) completed the survey analysis and provided the survey results to NRC, (3) formally requested removal of the site from the license, and (4) is now fully aware of the decommissioning requirements concerning release of facilities. The licensee is now in compliance with NRC requirements.

5. PERSONNEL CONTACTED:

Kenneth Coble, Physicist  
Kevin King, Facilities Manager  
Michael J. McCarty, Physicist  
# Robert Skowronek, RSO  
# Ken Yale, Supervisor, Physicist

Use the following identification symbols:

\* Individual(s) present at entrance meeting  
# Individual(s) present at exit meeting