

INSPECTION RECORD

Region III Inspection Report No. 030-31178/11-01(DNMS)

License No. 22-23403-01
Docket No. 030-31178

Licensee:
McGhie & Betts, Inc.
1648 Third Avenue, S.E.
Rochester, MN 55904

Location Being Inspected: Same as above

Licensee Contact: Barry Hentz, RSO
Telephone No. 507-645-0964
Priority: 5 Program Code: 03121

Date of Last Inspection: May 19, 2005
Date of This Inspection: May 3, 2011

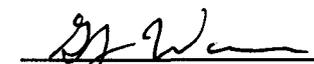
Type of Inspection: () Initial () Announced () Unannounced
(X) Routine () Special

Next Inspection Date: May 2016 (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
- () Follow-up on previous violations

Inspector: 
Geoffrey M. Warren, Health Physicist

Date: 5/12/11

Approved: 
Tamara E. Bloomer, Chief
Materials Inspection Branch

Date: 5/13/11

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

1. AMENDMENTS AND PROGRAM CHANGES:

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
6	March 2006	Split license – State agreement

2. INSPECTION AND ENFORCEMENT HISTORY:

No violations were cited as a result of the two previous inspections, which were performed in August 1999 and May 2005.

3. INCIDENT/EVENT HISTORY:

None.

PART II - INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

The licensee was a small engineering firm that employed six gauge users. The licensee possessed three gauges at the facility in Rochester, Minnesota, and four gauges at the facility in Northfield, Minnesota (1604 Riverview Lane, Northfield, MN 55057). The gauges at these facilities were possessed under the State of Minnesota license; the gauges had not been used in NRC jurisdiction since the State became an agreement state. The gauges were used weekly at construction sites in southeastern Minnesota and in the Twin Cities metropolitan area. All gauge users had completed the manufacturer's training and DOT HAZMAT training.

Following the inspection, licensee personnel planned to determine whether they should continue to maintain their NRC license.

2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: 87124

Focus Areas Evaluated: 03.01 – 03.07

At the time of this inspection, the gauges were not in use and had not been used for several years in NRC jurisdiction. Licensee personnel demonstrated the transport and use of the gauges and explained storage and emergency procedures, focusing on how gauges would be used in NRC jurisdiction. The demonstrations indicated that licensee would secure gauges in accordance with the two barriers rule in both their storage facility and in vehicles. Interviews with licensee personnel indicated adequate knowledge of radiation safety concepts and procedures.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

No surveys were performed because all storage facilities were authorized under the State of Minnesota license rather than the NRC license.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

Condition No. 12.A. of the license states that the radiation safety officer (RSO) for the license is Russell Smith. Russell Smith left the company in December 2009, and Barry Hentz has been performing the duties of RSO since that time. Having an individual besides Russell Smith as the RSO is a violation of Condition No. 12.A. of the license.

The State of Minnesota identified this issue during an inspection in June 2010, and cited the licensee for the failure to update the State license. The licensee had not previously notified the State of Minnesota or the NRC of this change because they had not realized that such notification was required. Mr. Hentz stated that they had not notified NRC after this issue was raised by the State because they believed that notifying the State would also result in notification to NRC. Mr. Hentz is qualified to serve as RSO based on the State of Minnesota approving him as the new RSO on the State license. As corrective action to this violation, on May 3, 2011, the licensee faxed an amendment request to NRC to name Mr. Hentz as the RSO on the NRC license.

5. PERSONNEL CONTACTED:

- * Barry Hentz, Radiation Safety Officer
- # Douglas Johnson, Lab Manager
- * David L. Morrill, P.E., Vice President

Use the following identification symbols:

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

-End-