

January 2, 1997

EA 96-490

Mr. Fred M. Haag
Corporate Radiation Safety Officer
Professional Service Industries, Inc.
3120 Sovereign Drive, Suite C
Lansing, MI 48911

SUBJECT: NRC AUGMENTED INSPECTION TEAM (AIT) SPECIAL INSPECTION
INSPECTION REPORT NO 030-31533/96002(DNMS)

Dear Mr. Haag:

This refers to the special unannounced inspection conducted on November 19, 1996, at the Professional Service Industries, Inc. (PSI), 24355 Capital Avenue, Detroit, Michigan facility. This inspection was prompted by an Augmented Inspection Team (AIT) review of an incident that occurred in another PSI field office in Bristol, Virginia. The purpose of the inspection was to determine if there are generic problems in training and implementation of safety procedures at field offices operated by PSI. The Detroit office was one of five offices other than the Bristol office visited by the AIT. All of the AIT findings will be described in an official report of the AIT, however, the results of this inspection as it relates to the specific apparent violation is being dealt with as a separate enforcement issue. The enclosed report presents the results of this inspection.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The circumstances surrounding this apparent violation, the significance of the issue, and the need for lasting and effective corrective action were discussed with members of your staff at the inspection exit meeting on November 20, 1996, and with you on November 25, 1996. As a result, it may not be necessary to conduct a predecisional enforcement conference in order to enable the NRC to make an enforcement decision. However, a Notice of Violation is not presently being issued for these inspection findings. Before the NRC makes its enforcement decision, we are providing you an opportunity to either (1) respond to the apparent violation addressed in this inspection report within 30 days of the date of this letter or (2) request a predecisional enforcement conference. Please contact John D. Jones at (630) 829-9832 or Monte Phillips at (630) 829-9806 within 7 days of the date of this letter to notify the NRC of your intended response.

Your response should be clearly marked as a "Response to An Apparent Violation in Inspection Report No. 030-31533/96002(DNMS)" and should include for each apparent violation: (1) the reason for the apparent violation, or, if contested, the basis for disputing the apparent violation, (2) the corrective steps that have been taken and the results

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achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. In presenting your corrective action, you should be aware that the promptness and comprehensiveness of your actions will be considered in assessing any civil penalty for the apparent violations. The guidance in the enclosed NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. Your response should be submitted under oath or affirmation and may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a predecisional enforcement conference.

In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

Original Signed by

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

Docket No. 030-31533

License No. 21-26141-01

Enclosures: 1. Inspection Report
2. Information Notice 96-28
3. NUREG 1600

bcc w/encl 1: Office of Enforcement
J. Goldberg, OGC
D. Cool, NMSS
T. Simmons, RIII
PUBLIC *[Signature]*

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DATE	12/3/96	12/3/96	12/3/96	12/97

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U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket: **030-31533**

License: **21-26141-01**

EA No.: **96-490**

Report: **030-31533/96002(DNMS)**

Licensee: **Professional Service Industries, Inc. (PSI)**

Facility: **Detroit, Michigan field office**

Location: **24355 Capitol Avenue, Detroit MI**

Dates: **November 19, 1996 through November 25, 1996**

Inspectors: **John D. Jones
Charles Hosey
Brian Parker**

*** Members of AIT from Region II**

Approved: **Monte Phillips, Chief
Nuclear Materials Inspection Branch 2**

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EXECUTIVE SUMMARY

Professional Service Industries, Inc. (PSI)
24355 Capitol Avenue, Detroit MI
NRC Inspection Report 030-31533/96002(DNMS)

This special inspection focused on possible generic problems in training and implementation of safety procedures at field offices operated by PSI following an incident at another PSI field office located in Bristol Virginia. The Detroit office was one of five offices other than the Bristol office visited by the AIT. All of the AIT findings will be described in an official report of the AIT, however, the results of this inspection as it relates to the specific apparent violation is being dealt with as a separate issue from the AIT report. At the PSI facility in Detroit MI, the team observed that a gauge was not secured from unauthorized removal while it was located in the back of a PSI pickup truck parked at a construction site at the Henry Ford Community College on November 19, 1996. The Campbell Pacific Nuclear (CPN) MC-1 portable/density gauge was inside a standard closed CPN transport case and the transport case was secured with a chain and padlocked to the inside right rear of the truck bed. However, the transport case which contained the portable/density gauge was not locked and the inspectors determined that the gauge could have easily been removed from the transport case.

Regulatory Issue

Based on the findings of the inspection, it was determined that this is an apparent violation of 10 CFR 20.1801 which requires that the licensee secure from unauthorized removal or access licensed materials that are stored in unrestricted areas. 10 CFR 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in an unrestricted area and that is not in storage. As defined in 10 CFR 20.1003, "unrestricted area" means an area, access to which is neither limited nor controlled by the licensee.

Report Details

1. Program Overview

1.1 Inspection Scope (IP 93800)

The inspection team reviewed the license application, supporting documents, previous NRC inspection field notes, training, and all procedural controls used at the PSI field office. The procedural controls are defined by the corporate Moisture/Density Gauge Manual (S.O.P. SF-9). Although this manual is not referenced in the material license in any of the PSI licenses reviewed by the AIT team, according to PSI management, this document, as stated in the Manual, is intended as a radiation safety training manual for the proper use of moisture/density gauges and is provided to all the PSI offices for implementation of the specific procedures contained in the manual and is considered official company policy. The Detroit field office had in its possession the latest revision, issued March 1996.

1.2 Observations and Findings

On the day of the inspection, November 19, 1996, the inspectors had completed their review of the licensee's operations at the Detroit, Michigan location and had proceeded to a job site location at the Henry Ford Community College where the office manager had indicated an authorized gauge user was performing soil density measurements. Upon arrival at the job site, the inspectors easily gained entrance to the fenced job site area through an unlocked gate. Within approximately 100 feet of the entrance of the job site, the inspectors located the parked PSI pickup truck. The CPN MC 1 portable gauge was inside a standard closed CPN transport case and the transport case was secured with a chain and padlocked to the inside right rear of the truck bed. However, the transport case which contained the gauge was not locked, and the inspectors determined that the gauge could have easily been removed from the transport case. The inspectors located the authorized gauge user and escorted him to the truck. He stated that he had not understood that locking the box to the truck and not locking the box was inadequate. He then secured the gauge inside the case and the case to the truck by bringing the chain through the case handle. Field audits of this technician had not identified this problem associated with the security of the gauge.

According to S.O.P. SF-9 Field audits are procedural inspections of gauge operators while working in the field and are performed every 6 months at the Detroit facility. The field audit requires the auditor to address a number of questions including whether the operator was ever more than 15 feet away from the gauge or not directly observing the gauge while it was unsecured; during transportation, were the source rod and case locked, and was the case chain locked to the far right rear of the vehicle; during transportation were the source rod and case locked, and was the case chain locked to the far right rear of the vehicle.

1.3 Conclusions

The authorized user did not maintain constant surveillance of the gauge while at the job site on November 19, 1996. The cause of the apparent violation appears to be either inadequate training or carelessness on the part of the authorized gauge user. The fact that the audit program did not identify the problem may indicate a weakness in that program. The office manager (and local Radiation Safety Officer (RSO)) stated that all users are trained to run the chain through the handle of the gauge case and to secure the case in such a way that the case cannot be opened. The corporate RSO stated in a teleconference on November 25, 1996, that company policy is to use a three way locking system e.g., a single lock for the handle of the gauge, another lock for one of the hasps on the case and another securing the chain to the case and the vehicle.

2. Regulatory Issues

10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in unrestricted areas. 10 CFR 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in an unrestricted area and that is not in storage. As defined in 10 CFR 20.1003, "unrestricted area" means an area, access to which is neither limited nor controlled by the licensee.

Based on the findings of the inspection, it was determined that on November 19, 1996, the licensee did not secure from unauthorized removal or limit access to a moisture density gauge containing licensed material consisting of 10 millicuries (370 MBq) cesium-137 and 50 millicuries (1850 MBq) americium-241 located inside the transport case on the bed of an open-bed pickup truck, an unrestricted area, nor did the licensee control and maintain constant surveillance of this licensed material.

The licensee's failure to secure from unauthorized removal or limit access to a moisture density gauge containing licensed materials is an apparent violation of 10 CFR 20.1801 and 10 CFR 20.1802.

3. Exit Meeting Summary

The inspection findings, as noted in the report were discussed with the licensee during the exit briefing conducted on November 25, 1996 during a telephone conversation with the corporate RSO. The licensee did not identify any information reviewed during the inspection and proposed for inclusion in this report as proprietary.

PARTIAL LIST OF PERSONS CONTACTED

Fred M. Haag, Corporate RSO
Gary Putt, Office Manager, Assistant RSO (Detroit field office)
Mike O'Kon, Staff Engineer
Rajiv Singh, Field Technician
Ken Kiehl, Field Technician

INSPECTION PROCEDURES USED

IP 93800 Augmented Inspection Team Implementing Procedure

ITEMS OPENED

030-31533/96002(01) VIO Failure to secure from unauthorized removal or access licensed materials that are stored in unrestricted areas.

LIST OF ACRONYMS USED

CPN	Campbell Pacific Nuclear Corporation
PSI	Professional Service Industries, Inc.
MBq	Megabecquerel
NRC	Nuclear Regulatory Commission
RSO	Radiation Safety Officer
S.O.P.	Standard Operating Procedures