

ENCLOSURE 6
INSPECTION RECORD

Region III Inspection Report No. 2012005

License No. IL-01696-01
Docket No. 15000012

Licensee: Alfred Benesch & Company
205 N. Michigan Ave, Suite 2400
Chicago, Illinois 60601

Licensee Contact: Paul Pelengaris, Radiation Safety Officer Telephone No. 312-565-0450

Priority: N/A Program Code: 03121

Date of Last Inspection: N/A Date of This Inspection: August 22, 2012

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

This was a reciprocity inspection of an Illinois licensee.

Next Inspection Date: N/A () Normal () Reduced

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) Violations, regional letter issued from the RIII Office
- () Followup on previous violations

Inspector(s): Edward L. Kulzer

Date:

E. L. Kulzer
(Signature)

10/2/12

Approved: Tamara E. Bloomer

Date:

Tamara Bloomer
(Signature)

10/2/12

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

1. AMENDMENTS AND PROGRAM CHANGES:

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
N/A		

2. INSPECTION AND ENFORCEMENT HISTORY:

This company is an Illinois licensee (License No. IL-01696-01, dated April 22, 2011). This licensee has no inspection or enforcement history with U.S. Nuclear Regulatory Commission (NRC).

3. INCIDENT/EVENT HISTORY:

None in areas of NRC jurisdiction.

PART II - INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

This was a reciprocity inspection of a soil testing and engineering firm located in Chicago, Illinois. The licensee maintains an Illinois license and does reciprocity work at temporary jobsites primarily in the State of Michigan under reciprocity with the NRC.

This inspection was conducted at the company's office at 222 N. Washington Square, Suite 200, Lansing, Michigan. At the time of the inspection, the licensee possessed a total of two gauges at their office in Lansing, Michigan. The gauges are used on a daily basis during the construction season (mid-May through October or November). The licensee employed two authorized gauge users at the time of the inspection.

The corporate Radiation Safety Officer (RSO) is Paul Pelengaris, who is physically located in the company's Chicago, Illinois headquarters. The site RSO is Lindsey Renner, EIT.

Performance Observations:

On August 22, 2012, the inspector visited the licensee's facility in Lansing, Michigan. While on site, the inspector reviewed selected records as they pertained to the licensee's use of gauges in NRC jurisdiction, observed a gauge that was prepared for transport, and interviewed the RSO. The RSO indicated that the licensee has stored gauges at the Lansing facility under reciprocity since June 2012. On August 22, 2012, the inspector toured the Lansing facility and determined that adequate safety and security controls were not in place for the gauges. At the time of the inspection, the licensee was storing two gauges at the Lansing facility. The inspector cited the licensee for a violation of Title 10 of the Code of Federal Regulations (CFR) 30.34(i) for failure to use two locks and two chains to secure the gauges in storage when not under constant surveillance. The root cause of the violation was that the licensee misunderstood the security requirement of two locks and two chains when in storage. The inspector clarified the requirement for secure storage of the gauges at temporary jobsites where the NRC maintains jurisdiction. The licensee committed to adequately securing the gauges that day at their Lansing facility.

The licensee's corrective action was to secure the two portable gauges to the building wall with the use of an eye hook, two chains, and two locks that afternoon.

The inspector also reviewed the licensee's HAZMAT training records and determined that employees are trained at least once every three years. All individuals, including the RSO, has had refresher training on U.S. Department of Transportation (DOT) requirements applicable to the transport of radioactive materials since his initial training. The inspector reviewed the licensee's leak test, inventory, and dosimetry records, as well as shipping papers.

No temporary jobsites within NRC jurisdiction were available for observation during this inspection. No other areas of non-compliance were noted in the review of the records or the facilities

2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: Inspection Procedure (IP) 87124

Focus Areas Evaluated: All

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

None.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

One SL IV finding was identified during the inspection.

Title 10 CFR Part 30.34(i) requires that each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

Contrary to the above, on August 22, 2012, the licensee failed to use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee. Specifically, the licensee had two portable gauges locked in its remote storage room with no surveillance using only one lock on the door.

This is a Severity Level IV violation in accordance with Enforcement Guidance Memorandum (EGM-11-004), because the licensee secured the gauge with one lock.

5. PERSONNEL CONTACTED:

#James H. Canham, PE, CVS, Vice President and Michigan Division Manager
Chad Rajala, PE, Director of Construction Services
#*Lindsey Renner, EIT, Radiation Safety Officer

Use the following identification symbols:

Individual(s) present at entrance meeting

* Individual(s) present at exit meeting