

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Road Commission of Macomb County 117 S. Groesbeck Highway Mt. Clemens, MI 48043 REPORT NUMBER(S) 12-01		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-09582	4. LICENSE NUMBER(S) 21-15686-01	5. DATE(S) OF INSPECTION 10/1/12 thru 12/5/12	

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, to exercise discretion, were satisfied.

Non-cited violation(s) were discussed involving the following requirement(s):

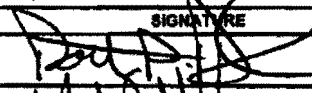


- 4. During this inspection, certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited in accordance with NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

(Violations and Corrective Actions)

10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport.

Statement of Corrective Actions

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	ROBERT P. HOEPEWER		12-12-12
NRC INSPECTOR	Michael G. Herr, CHP		12-1-12
BRANCH CHIEF	Tamara E. Bloomer		12/10/12

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Road Commission of Macomb County 117 S. Groesbeck Highway Mt. Clemens, MI 48043 REPORT NUMBER(S) 12-01		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-09582	4. LICENSE NUMBER(S) 21-15686-01	5. DATE(S) OF INSPECTION 10/1/12 thru 12/5/12	

(Continued)

49 CFR 172.704(a) specifies the elements of hazmat employee training as: (1) general awareness/familiarization training, (2) function-specific training, and (3) safety training. 49 CFR 172.704(c) requires, in part, that a hazmat employee receive initial training, and recurrent training at least once every three years

Contrary to the above, from June 5, 2008 to October 1, 2012, the licensee's did not provide training for its hazmat employees which satisfied the requirements in Subpart H to 49 CFR Part 172, in that the licensee did not provide recurrent training every three years, and the licensee otherwise meets the definition of hazmat employer in 49 CFR 171.8.

The licensee has contracted with a vendor to have its portable gauge users retraining in hazardous material employee training.

Title 10 CFR 20. 1101 states that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, from June 5, 2008 to October 1, 2012. the licensee did not conduct annual reviews of the radiation protection program for its content and implementation.

The Radiation Safety Officer (RSO) stated that he was not aware of this requirement. The licensee has implemented a annual review program and conducted their first review of their program.

Docket File Information
SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Road Commission of Macomb County 117 S. Groesbeck Highway Mt. Clemens, MI 48043 REPORT NUMBER(S) 12-01		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-09582	4. LICENSE NUMBER(S) 21-15686-01	5. DATE(S) OF INSPECTION 10/1/12 thru 12/5/12	
6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01-03.07		

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Robert P. Hoepfner	4. TELEPHONE NUMBER (586) 463-8671
---------------------------------	----------------------	---	---

- Main Office Inspection Next Inspection Date: October 2017
- Field Office Inspection 5
- Temporary Job Site Inspection

PROGRAM SCOPE

An U.S. Nuclear Regulatory Commission inspector conducted a routine inspection on October 1, 2012, with a continued in-office review through December 5, 2012. The inspector inspected both the Road Commission of Macomb County's main office located in Mt. Clemens, Michigan and at the field office located in New Haven, Michigan. The in-office review included review of certification documentation for Type A package that the licensee had designed for transporting gauges. The certification documentation was not available at the time of inspection.

The main office review included a review of the licensee's selected records including; occupational dosimetry reports, physical inventories of the portable gauges' records, training records, leak test records, and utilization logs. The inspector also toured the facilities and found the the two tangible barriers requirements were being implemented at both the main office and field office.

There were no active work at temporary job sites to inspect so gauge users were posed with various operating and emergency scenarios by the inspector. The gauge users' responses to the scenarios posed by the inspector were satisfactory. The licensee did have a type A package that they had been designed in house. The Type A package was inspected and it certification reviewed. The inspector also conducted independent surveys of storage areas with expected results.

Two violations were issued; one for not conducting refresher training for hazardous materials employee training and the other for not conducting annual reviews of their radiation protection program.