

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Materials Inspection and Testing, Inc. 3807 Goshen Road Fort Wayne, IN 46818 REPORT NUMBER(S) 13-01		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-18173	4. LICENSE NUMBER(S) 13-16961-02	5. DATE(S) OF INSPECTION October 30, 2013	

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)

Contrary to 10 CFR 71.5 (a) and 49 CFR 172.702 (Subpart H), from approximately May 2, 2006 through October 30, 2013, the licensee did not provide training for its employees and the licensee otherwise meets the definition of hazmat employees in 49 CFR 171.8. This is a Severity Level IV violation.

As a corrective action, the Radiation Safety Officer (RSO) committed to providing hazmat training for all four of the Authorized Users (AU) within 30 days of the inspection, and to familiarize himself with the DOT requirements to ensure that the three-year refresher training would be completed.

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	Tim Reams	<i>Tim Reams</i>	11/22/13
NRC INSPECTOR	Claire E. Wellinghoff	<i>Claire Wellinghoff</i>	11/12/13
BRANCH CHIEF	Aaron T. McCraw	<i>Robert D. Gattuso, Jr. for A.M.</i>	11/12/13

Docket File Information
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6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 3.01-3.07
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SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Timothy Reams, RSO	4. TELEPHONE NUMBER (260) 489-1567
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- Main Office Inspection Next Inspection Date: 10/30/2018
- Field Office Inspection
- Temporary Job Site Inspection Stratford Forest Sect. 5: Intersection of Bass & Hadley

PROGRAM SCOPE

This was a routine inspection of a small civil engineering company that performed soil compaction testing at road and construction sites in the city of Fort Wayne and surrounding counties. The licensee possessed four portable CPN gauges, which were used by four gauge users including the Radiation Safety Officer (RSO). The gauges were primarily used approximately three times a week during the construction season from March through November. Only two of the gauges were actively used, while the other two were being kept in storage. The licensee did not perform any maintenance or service on the gauges.

Performance Observations

The inspector observed demonstrations of how licensed activities were conducted at a temporary job site. The gauge was not used during the inspection. The inspector observed the gauge user maintain constant surveillance. The gauge user demonstrated transport procedures and security of the gauge in the vehicle during transport. The inspector observed: (1) that the gauge was locked in an outer container; (2) that the container was labeled; (3) how the shipping container was blocked and braced; (4) that the shipping papers were stowed as required; and (5) that staff members were knowledgeable about emergency response procedures. Additionally, the licensee demonstrated compliance with the two barrier rule. The inspector reviewed selected licensee records for leak test results, monthly dosimetry, and manufacturer provided training.

One violation was identified during the time of the inspection involving 10 CFR 71.5(a) and 49 CFR 172.702.