

INSPECTION RECORD

Region: III

Inspection Report No. 2015001

License No. 21-32557-01

Docket No. 03036875

Licensee: Wallace & Associates, LLC.  
8134 West Main St.  
Kalamazoo, MI 49009

Locations Inspected: Same as above

Licensee Contact: Jillian F. Frazee, Radiation Safety Officer

Telephone No. (313) 378-8885

Program Code: 3121

Priority: 5

Type of Inspection:

Initial

Routine

Announced

Special

Unannounced

Last Inspection Date: 5/16/2011

Date of This Inspection: 12/3/15 and 1/19/2016, with continued in-office review through 1/27/16

Next Inspection Date: 12/3/2020

Normal

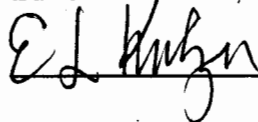
Reduced

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
- Violation(s), regional letter issued
- Follow-up on previous violations

Inspector: Edward L. Kulzer, Health Physicist



Signature

Date

2/17/16

Approved: Aaron T. McCraw, Chief, MIB



Signature

Date

2/19/16

**PART I – LICENSE, INSPECTION, INCIDENT/EVENT AND ENFORCEMENT HISTORY**

1. AMENDMENTS AND PROGRAM CHANGES SINCE LAST INSPECTION:

| <u>AMENDMENT #</u> | <u>DATE</u> | <u>SUBJECT</u>                    |
|--------------------|-------------|-----------------------------------|
| 3                  | 11/10/2015  | Change of RSO and location of use |

2. INSPECTION AND ENFORCEMENT HISTORY:

The last inspection of this licensee was on May 16, 2011. No violations of NRC requirements were identified.

3. INCIDENT/EVENT HISTORY:

No open items or events since the last routine inspection.

**PART II – INSPECTION DOCUMENTATION**

1. ORGANIZATION AND SCOPE OF PROGRAM:

Wallace & Associates, LLC. is authorized under NRC Materials License No. 21-32557-01 to use licensed material for measuring physical properties of materials with nuclear gauging devices. Licensed material is authorized to be used anywhere in the United States in areas of NRC jurisdiction. The licensee uses the gauges on a daily basis for construction engineering projects throughout the Michigan area. The licensee uses Troxler Model 3216 portable gauge, containing americium-241.

2. SCOPE OF INSPECTION:

Inspection Procedure Used: 87124

Focus Areas Evaluated: All

The inspector toured the licensee's main office to evaluate the licensee's measures for material security, hazard communication and exposure control.

Through interviews with the RSO and gauge users, the inspector found that the licensee's staff was knowledgeable and conscientious of radiation protection principles and licensee procedures for use, storage and transportation of portable gauges.

The inspector reviewed a selection of licensee records for inventories, leak tests, use logs, non-routine maintenance, audits, dosimetry and public dose assessment. The inspector also reviewed the licensee's training materials and shipping papers.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

Using a Ludlum 2403 survey meter with a model 44-38 energy-compensated GM detector calibrated on April 9, 2015, the inspector conducted independent surveys at each of the locations inspected. The inspector found no readings which would

indicate residual contamination or exposures to members of the public in excess of regulatory limits.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

During the inspection, the inspector identified two violations. The first was a violation of 10 CFR 30.34(c) and Condition 10 of NRC license 21-26634-01 for failure to confine the possession and use of byproduct material to the locations authorized on the license.

Specifically, the licensee had relocated to a new location in Kalamazoo on or around August 10, 2015, prior to NRC approval. The licensee sent in a request for a license amendment on November 9, 2015, after they had changed locations of use from the authorized location at 58487 Stoldt Road, Three Rivers, Michigan, to an unauthorized location at 8134 West Main Street, Kalamazoo, Michigan.

The second violation involved Condition 12 of NRC License 21-26634-01 for failure for the individual specifically authorized by Condition 12 of the license to fulfill the duties and responsibilities as RSO.

Specifically, the individual named on the NRC License had left the company on approximately August 10, 2015, and the company failed to appoint a new individual and submit that information to the NRC until November 9, 2015.

The inspector determined that the root cause of the violations was a lack of understanding of the terms and conditions of your NRC license. As corrective actions to restore compliance, you updated your license to ensure the authorized locations reflect the actual storage and use areas and appointed a new RSO. As corrective action to prevent recurrence, you are now aware of the need to request amendments to your NRC license before replacing the RSO with an individual knowledgeable in NRC regulations and changing locations where licensed activities are conducted.

5. PERSONNEL CONTACTED:

- # Jillian F. Frazee, Radiation Safety Officer
- # Attended exit meeting on January 27, 2016.