

ENCLOSURE 6 - INSPECTION RECORD

Region: III

Inspection Report No. 2016001

License No. 21-02335-08

Docket No. 030-08659

Licensee: DTE Energy
EF2 110 AIB
Newport, MI 48166

Locations Inspected: 6400 West Warren Avenue, Detroit, MI

Licensee Contact: Robbert Tozzie, Radiation Safety Officer Telephone No. 734-586-5146

Program Code: 03121 Priority: 5

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

Last Inspection Date: February 16, 2011 Date of This Inspection: July 13 through August 9, 2016

Next Inspection Date: July 13, 2021 (X) Normal () Reduced

The licensee plans to terminate its license

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

Inspector Edward L. Kulzer, Health Physicist

ELK for ELK
Signature

Date 8/31/16

Approved Aaron T. McCraw, Chief, MIB

ATM for ATM
Signature

Date: 8/31/16

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>
8	11/25/2013	License Renewal

2. INSPECTION AND ENFORCEMENT HISTORY:

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

3. INCIDENT/EVENT HISTORY:

There were no open items or events since the last inspection.

PART II - INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

The licensee is authorized to use licensed material for measuring physical properties of materials with nuclear gauging devices anywhere in the United States in areas of NRC jurisdiction. The licensee used the gauges on a daily basis for construction engineering projects throughout the Indiana area. The licensee used Troxler Model 3400 and 3216 portable gauges, containing cesium-137 and americium-241.

2. SCOPE OF INSPECTION:

Inspection Procedure(s) 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. The inspector determined that the gauges had not been used since December 15, 2011.

Through interviews with the RSO and a gauge user, the inspector found that the licensee's staff was knowledgeable of radiation protection principles and licensee procedures for use, storage and transportation of portable gauges. The inspector also witnessed demonstrations by the staff of non-routine maintenance, leak test collection, and emergency response.

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 November 23, 2015, the inspector conducted independent surveys. 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:

Title 10 of the *Code of Federal Regulations* (CFR) 30.36(d) requires, in part, that licensees provide notification to the NRC in writing within 60 days of any of the following occurrences:

- (1) The license has expired;
- (2) The licensee has decided to permanently cease principal activities at the entire site or in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements;
- (3) No principal activities under the license have been conducted for a period of 24 Months; or
- (4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.

Contrary to the above, as of July 13, 2016, the licensee failed to notify the NRC in writing within 60 days of no principal activities under the license being conducted for a period of 24 months. Specifically, the licensee did not conduct principal activities under this license from December 15, 2011, through July 13, 2016, and the licensee did not notify the NRC in writing within 60 days of not conducting principal activities for a period of 24 months.

5. PERSONNEL CONTACTED:

- # Robert Tozzie, Radiation Safety officer
- # Attended exit meeting on August 9, 2016.

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