



## **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>
09	02/05/2014	License Renewal
10	06/06/2017	Change of RSO

### 2. INSPECTION AND ENFORCEMENT HISTORY:

The last inspection of this licensee was on February 15, 2012. Two violations of NRC requirements concerning the failure to have the person listed on the license as RSO and failure to confine its possession and use of licensed material to locations listed on the license.

### 3. INCIDENT/EVENT HISTORY:

No open items or events since the last routine inspection.

## **PART II – INSPECTION DOCUMENTATION**

### 1. ORGANIZATION AND SCOPE OF PROGRAM:

Muskegon County Road Commission is a county engineering department authorized under NRC Materials License No. 21-21369-01 to use licensed material for measuring the physical properties of materials using Troxler Models 3400 Series portable gauges at its facility in Muskegon, Michigan, and at temporary job sites within NRC jurisdiction. At the time of the inspection, the licensee possessed one Troxler Model 3440 and one Model 3411-B portable gauge. The licensee stated that they intend to transfer the gauges to an authorized entity and terminate their license.

### 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. At the time of the inspection, the license had ceased principle activities; therefore, there was no gauge use to observe as part of this inspection.

The inspector observed an authorized gauge operator demonstrate adequate security of the portable gauge both in storage and transit. The shipping papers for the gauge included all of the required information and were accessible to the driver during transport. In addition, the operator demonstrated adequate knowledge of radiation safety principles and emergency procedures in the event of an incident through interviews with the inspector.

The inspector reviewed pertinent documents including leak test records, manufacturer training certificates, shipping papers, and the utilization log with no issues noted.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

Using a Canberra UltraRadiac Model MRAD213 survey instrument, the inspector performed independent measurements around the licensee's portable gauge storage facility and observed no readings that would indicate exposures to members of the public in excess of regulatory limits.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

During this inspection, the inspector identified one violation of NRC requirements, as discussed below:

License Condition 12 of Amendment 09 of NRC License 21-21369-01 required a specifically listed individual to perform the duties and functions of the Radiation Safety Officer (RSO).

Contrary to the above, between September 2016 and March 15, 2017, the named individual, specifically authorized by Condition 12 of the license to fulfill the duties and functions of RSO, was no longer employed by the licensee and did not fulfill the duties and functions of the RSO. Specifically, that individual left the employment of the licensee in September 2016; since that time, the licensee appointed a qualified individual – as determined by the NRC on June 6, 2017 – to fulfill the duties and functions of the RSO, but did not request an amendment to the NRC license until March 15, 2017.

The inspector determined that the root cause of the violation was management oversight as the licensee experienced a change of personnel. As corrective actions to restore compliance, the licensee submitted an amendment request on March 15, 2017, to have a new individual named as RSO. This request was approved by the NRC and full compliance was achieved on June 6, 2017. As corrective action to prevent recurrence of the violation, the licensee stated that they will be transferring their portable gauges to an authorized entity and submitting a license termination request to the NRC. The RSO stated that the licensee will begin the transfer process once the leak test results are received for the Troxler Model 3411-B gauge that was kept in storage for several years.

5. PERSONNEL CONTACTED:

# Scott Saigeon, RSO

# Attended exit meeting on June 14, 2017.

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