

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

<p>1. LICENSEE/LOCATION INSPECTED:</p> <p>Clare County Road Commission 3900 East Mannsiding Road Harrison, MI 48625</p> <p>REPORT NUMBER(S) 2017001</p>	<p>2. NRC/REGIONAL OFFICE</p> <p>Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352</p>	
<p>3. DOCKET NUMBER(S)</p> <p>030-36906</p>	<p>4. LICENSE NUMBER(S)</p> <p>21-32565-01</p>	<p>5. DATE(S) OF INSPECTION</p> <p>July 11, 2017</p>

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) / 49 CFR 172.702(c)(2), on February 23 and March 23, 2017, Clare County Road Commission's sole hazmat employee transported licensed material on a public highway, but had not received the training and testing required by Subpart H of 49 CFR Part 172 within the last three three years. Specifically, the hazmat employee had not received hazmat training since October 2013.

As corrective action, on July 15, 2017, the gauge user completed the necessary training and testing, and established an electronic tracking mechanism to ensure that this training was completed at least once every three years.

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	AL LEONARD	<i>al Leonard</i>	08/09/17
NRC INSPECTOR	Ryan Craffey	<i>Ryan Craffey</i>	07/31/2017
BRANCH CHIEF	Aaron McCraw	<i>Aaron McCraw</i>	08/02/2017

Docket File Information

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6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS All
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SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Allan Leonard - RSO	4. TELEPHONE NUMBER (989) 539-2151
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Main Office Inspection Next Inspection Date: 07/11/2022

Field Office Inspection _____

Temporary Job Site Inspection _____

PROGRAM SCOPE

This was an unannounced routine inspection of a county roads department authorized to possess and use portable nuclear density gauges at its facility in Harrison Michigan, and at temporary job sites throughout the county. At the time of the inspection, the licensee had one Troxler 3400 series gauge, and one individual (the RSO) trained to use them. In the last two years the licensee had only used the gauge a few times, however it anticipated increased use of the gauge next year.

PERFORMANCE OBSERVATIONS: The inspector toured the facility in Harrison to evaluate the licensee's measures for materials security, hazard communication and exposure control. When not under constant surveillance, the licensee stored its gauge behind at least two independent controls that formed tangible barriers against unauthorized removal. Independent surveys in the vicinity of the storage location resulted in no readings above regulatory limits. The licensee had access to a survey instrument from another gauge licensee in the region. Although the licensee had no work involving the gauge ongoing at the time of the inspection, the RSO was nevertheless able to demonstrate to the inspector the implementation of licensee procedures for gauge transportation, use, and emergency response. Through these demonstrations and discussions, the inspector found the RSO to be knowledgeable of radiation protection principles and established procedures for gauge use. The inspector also reviewed a selection of records, including operating and emergency procedures, leak test results, shipping papers, utilization logs, hazmat training certificates, and dosimetry.

The inspector identified a violation of 10 CFR 71.5(a) for the licensee's failure to comply with 49 CFR 172.704(c)(2), which requires hazmat employees to receive the training and testing required by Subpart H of 49 CFR Part 172 at least once every three years. The RSO, the licensee's only hazmat employee, had not received this training since October 23, 2013. The inspector determined that the root cause of this violation was an oversight; the RSO didn't realize that it had been three years since he last completed the training. As corrective action, the RSO completed the required training on July 15, 2017 and established an electronic tracking mechanism to remind him every three years to complete the training.

The licensee was previously cited in IR 03036906/2014001(DNMS) for a violation of LC 12 regarding its lack of an approved RSO for nearly four months. The inspector reviewed the licensee's corrective actions, and found no additional examples of this violation. Therefore this violation is closed.

Craffey, Ryan

From: Craffey, Ryan
Sent: Tuesday, August 08, 2017 8:30 AM
To: 'aleonard@clarecrc.com'
Subject: NRC Inspection Report
Attachments: NRC Inspection Report - Clare County Road Commission 2017.pdf

Good morning Al,

Attached is a copy of the completed report for my inspection of Clare County Road Commission's radiation safety program last month. Please review the document, and if you agree with my characterization of your corrective actions, please sign, scan, and email me back a copy. If you have any questions or concerns about the report, let me know before you sign.

Thanks!

Ryan Craffey

Health Physicist
US Nuclear Regulatory Commission
Materials Inspection Branch, Region III
(630) 829-9655