

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Ace-Saginaw Paving Co. 2981 Carrollton Road Saginaw, MI 48604 REPORT NUMBER(S) 2018001		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-38530	4. LICENSE NUMBER(S) 21-32165-02	5. DATE(S) OF INSPECTION March 28 & April 19, 2018	

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 30.34(i), the licensee failed to use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal whenever portable gauges are not under constant surveillance of the licensee. Specifically, on March 28, 2018, the licensee failed to secure the outer lock on a storage cage containing two portable gauges, which resulted in there being only one physical control to secure the gauges from unauthorized removal from the licensee's permanent storage facility.

The root cause of this violation was operator negligence in that the last operator to use the gauge forgot to secure the outer lock before leaving the storage area. As corrective action, the licensee secured the outer lock on March 28, 2018. As corrective action to prevent recurrence, the RSO has committed to retrain all gauge users on the security requirement prior to their next use of the gauges.

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	Amy Eagle	<i>Amy Eagle</i>	5-2-18
NRC INSPECTOR	Edward F. Harvey	<i>Edward Harvey</i>	5/1/18
BRANCH CHIEF	Aaron T. McCraw	<i>ATM</i>	05/02/2018

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 Amy Eagle, RSO	4. TELEPHONE NUMBER (989) 233-6296
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<input checked="" type="checkbox"/> Main Office Inspection	Next Inspection Date: <u>March 28, 2023</u>
<input checked="" type="checkbox"/> Field Office Inspection	<u>4711 Veteran's Memorial Pky, Saginaw, MI</u>
<input type="checkbox"/> Temporary Job Site Inspection	_____

PROGRAM SCOPE

This was an unannounced, routine inspection of a paving company authorized to use portable gauges for measuring the physical properties of materials. The licensee possessed six Seaman Nuclear Corporation portable gauges containing radium-226. The portable gauge program consisted of three authorized gauge users and operated seasonally, between the months of April and November. All of the licensee's portable gauges and associated records were stored at the location on Veteran's Memorial Parkway, within the Quality Control building.

At the time off the inspection, all portable gauge personnel, including the RSO, were off for the winter season. The inspector toured the facility to evaluate the licensee's measures for security, hazard communication, and exposure control. The portable gauges remained in storage until the RSO arrived to perform leak tests prior to use each season. Interviews with on-site personnel indicated that they would contact the RSO in the event of an emergency or incident involving the portable gauges. The inspector reviewed a selection of records including leak tests, audits, training records, and dosimetry with no issues noted. Independent surveys revealed no readings that would indicate residual contamination or exposures to members of the public in excess of regulatory limits.

On April 19, the inspector contacted the RSO via telephone and confirmed that she would be available during the off-season to respond to any potential events involving the portable gauges. The RSO explained that she has a company phone that she may be reached with throughout the entire year.

One violation, described in Part 1 of this report, was identified during this inspection.