

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED Smith and Company 901 Vine Street Poplar Bluff, MO 63902 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) 030-32734	4. LICENSE NUMBER(S) 24-18711-03	5. DATE(S) OF INSPECTION May 17, 2018 to June 7, 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 Title 10 of the Code of Federal Regulations (CFR) 30.34(i), on May 17, 2018, 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 the control and constant surveillance of the licensee.

The cause of the violation was the licensee's misunderstanding of the two-barrier requirement by only having one barrier during normal working hours, a locked structure in which the gauges were stored with no additional controls securing the gauge inside. As corrective action, the licensee chained the gauges' storage boxes to the wall the same day of the inspection, establishing two independent physical controls.

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	Bari P. Chase	Bari P. Chase <small>Digitally signed by Bari P. Chase DN: cn=Bari P. Chase, o.ou, email=bpchase01@gmail.com, c=US Date: 2018.06.21 11:48:07 -0500</small>	
NRC INSPECTOR	Luis Nieves Folch		6/19/18
BRANCH CHIEF	Aaron T. McCraw		6/21/18

Docket File Information
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6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01-03.08
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SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Bari Chase, RSO	4. TELEPHONE NUMBER (573) 718-4625
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Main Office Inspection Next Inspection Date: May 17, 2023

Field Office Inspection _____

Temporary Job Site Inspection _____

PROGRAM SCOPE

This was an unannounced, routine inspection of a portable nuclear gauge licensee that employed 5 gauge users and possessed 5 portable moisture density gauges (two Troxler 3400, two Humboldt 5011, and one Troxler 3241-D). The licensee does not perform any service or maintenance activities on its gauges; these services were performed by the manufacturer. The license uses its gauges year-round.

Performance Observations

The licensee demonstrated how to use the gauge, use ALARA practices in the field, and secure the gauge during transport while at the main office. The licensee had the required shipping papers that contained all appropriate information and demonstrated how they can made accessible in the transport vehicle. The operator demonstrated an adequate level of understanding of emergency and handling procedures during interviews. The inspector reviewed annual audits, leak test, hazmat training, inventory, and usage logs.

One violation was identified during this inspection, concerning the two-barrier requirement, as documented on Part 1 of this Form.

Nieves Folch, Luis

From: Bari P. Chase <bpchase@shsmithco.com>
Sent: Thursday, June 21, 2018 11:51 AM
To: Nieves Folch, Luis
Subject: [External_Sender] RE: NRC 591 Report
Attachments: NRC Signed Safety Inspection Report 6-21-18.pdf

Mr. Nieves,

Please find attached the signed report.

Sincerely Thanks,

Bari P. Chase,
Lab Supervisor

SMITH&CO.
ENGINEERS

Cell: 573-718-4625
Office: 573-785-9621
Fax: 573-785-2651

From: Nieves Folch, Luis <Luis.NievesFolch@nrc.gov>
Sent: Thursday, June 21, 2018 11:34 AM
To: Bari P. Chase <bpchase@shsmithco.com>
Subject: NRC 591 Report

Dear Ms. Chase,

Attach is the 591 report for the inspection conducted on May 17, 2018, the report reflects one violation that was discussed with your. I required form you to sign it at the bottom where it says "Licensees' Representative" and email it back to me. After that there is no further actions on your part.

In accordance with Title 10 of the Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this message will be available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>.

Please feel free to contact me if you have any questions regarding this correspondence.

Thank you,

Luis Nieves
Health Physicist
U.S. Nuclear Regulatory Commission
Division of Nuclear Materials Safety
Office: (630) 829-9571
Fax: (630) 515-1259

From: Luis.NievesFolch@nrc.gov [mailto:Luis.NievesFolch@nrc.gov]

Sent: Thursday, June 21, 2018 11:28 AM

To: Nieves Folch, Luis <Luis.NievesFolch@nrc.gov>

Subject: Message from KM_C458