

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Michigan Department of Transportation Construction Field Services Division P.O. Box 30049 Lansing, MI 48909 REPORT NUMBER(S) 2019001		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-04813		4. LICENSE NUMBER(S) 21-03039-01	
		5. DATE(S) OF INSPECTION May 21-22, 2019 with in-office review through June 26, 2019	

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:

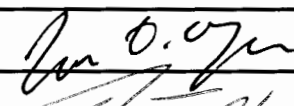
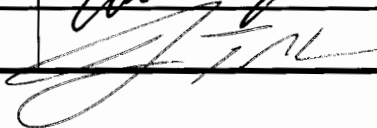
- 1. Based on the inspection findings, no violations were identified.
- 2. Previous violation(s) closed.
- 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is 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)

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			
NRC INSPECTOR	Jason D. Draper, Health Physicist		7/8/19
BRANCH CHIEF	Aaron T. McCraw		7/8/19

Docket File Information
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6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01-03.07		

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 04417	2. PRIORITY 5	3. LICENSEE CONTACT Thomas Killingsworth, RSO	4. TELEPHONE NUMBER (517) 331-0314
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- Main Office Inspection Next Inspection Date: no change
- Field Office Inspection Ishpeming TSC and Newberry TSC
- Temporary Job Site Inspection US-41/M-28 Marquette project near Northwoods Rd

PROGRAM SCOPE

This was an unannounced field office inspection of the Michigan Department of Transportation (MDOT), which was authorized to possess and use portable moisture density gauges at numerous field offices in Michigan and at temporary job sites. The scope of this inspection was limited to a review of the radiation safety program as implemented at the Ishpeming and Newberry Transportation Service Centers (TSCs), each where the licensee stored up to three of its gauges during the construction season for dispatch to job sites.

PERFORMANCE OBSERVATIONS

At the TSCs, the inspector toured the licensee's gauge storage areas to evaluate the licensee's measures for materials security, hazard communication, and exposure control. The inspector conducted independent surveys of the facility and found that exposures in publicly accessible areas were below regulatory limits. The inspector also found that the gauges were adequately secured by at least two independent physical controls. The inspector discussed the use and transportation of licensed material with authorized personnel, whom the inspector found to be knowledgeable of the radiation protection principles and regulatory requirements. The inspector also observed activities at a temporary job site in Marquette, Michigan. At the job site, the inspector observed the gauge user's blocking and bracing of the material and the security of the gauge with two independent physical controls. The inspector also interviewed the gauge user regarding gauge use, transportation, and the licensee's emergency procedures and found the gauge user to be knowledgeable of the radiation protection principles and regulatory requirements.

The inspector also reviewed a selection of records available on site, including utilization logs and shipping papers, and contacted the licensee RSO following the onsite inspection to review leak tests and training records.

(continued on Part 2)

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Michigan Department of Transportation
Construction Field Services Division
P.O. Box 30049
Lansing, MI 48909

REPORT NUMBER(S) 2019001

2. NRC/REGIONAL OFFICE

Region III
U. S. Nuclear Regulatory Commission
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

3. DOCKET NUMBER(S)

030-04813

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21-03039-01

5. DATE(S) OF INSPECTION

May 21-22, 2019 with in-office review through June 26,

(Continued)

(continued from Part 3)

During interviews of licensee personnel, the inspector identified that the licensee used local MDOT maintenance garages, including at locations in L'Anse and Houghton, Michigan, to temporarily store gauges during ongoing construction projects at remote locations. After discussions with MIB and MLB, these locations were considered to be temporary job sites.

No violations of NRC requirements were identified as a result of this inspection.

During the last routine inspection cycle, a SLIV violation was identified for the licensee's storage of gauges at locations not authorized by the license. During this inspection, through a review of records and interviews with various MDOT personnel and the RSO, the inspector determined that the licensee only stored gauges at locations authorized by their license, and requested additional locations through amendment requests before the licensee began storing gauges at new locations. The inspector also identified that the licensee amended their license to specifically list all of the authorized storage locations. This violation is closed.

Draper, Jason

From: Draper, Jason
Sent: Monday, July 08, 2019 1:11 PM
To: Killingswortht@michigan.gov
Subject: NRC Form 591M, Michigan Department of Transportation
Attachments: SKM_C45819070814020.pdf

Mr. Killingsworth,

As we discussed in our telephone call on Thursday, June 27, 2019, attached is the inspection report for the routine NRC inspection I performed at your facility in Ishpeming, Michigan, and at a temporary jobsite in Marquette, Michigan on May 21, 2019, as well as at your facility in Newberry, Michigan, on May 22, 2019. Please review and keep this document for your records. There is no response required, though I would appreciate an email confirming that you have received the document. Let me know if you have any questions.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made 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>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

Jason Draper
Health Physicist (Inspector)
NRC/RIII/DNMS/MIB
(630) 829-9839
jason.draper@nrc.gov