

U.S. NUCLEAR REGULATORY COMMISSION

REGION 111

Report No. 030-31268/92-002(DRSS)

Docket No. 030-31268

License No. 13-23425-01

Licensee: Howard, Needles, Tammen & Bergendoff (HNTB)
111 Monument Drive
Indianapolis, Indiana

Teleconference Meeting Conducted: August 18, 1992

Type of Meeting: Enforcement Conference

Inspection Conducted: Onsite July 13 and 15, 1992
In-office review of additional material on July 23,
and August 27, 1992.

Inspector:

W. P. Reichhold
W. P. Reichhold
Radiation Specialist

4 September 1992
Date

Reviewed By:

B. J. Holt
B. J. Holt, Chief
Nuclear Materials Inspection Section 1

Sp 9 1992
Date

Approved By:

J. A. Grobe
J. A. Grobe, Chief
Nuclear Materials Safety Branch

Sp 9 1992
Date

Meeting Summary

Enforcement Conference on August 18, 1992, (Report No. 030-31268/92-002(DRSS))
Areas Discussed: A review of the apparent violations and areas of concern identified during the inspection, and corrective actions taken or planned by the licensee. The enforcement options pertaining to the apparent violations were also discussed with the licensee.

DETAILS

1. Conference Participants

HNTB

R. Ward, P.E., Associate

M. Gardner, Radiation Protection Officer (RPO)

U.S. Nuclear Regulatory Commission, Region III

W. L. Axelson, Deputy Director, Division of Radiation Safety and Safeguards

R. W. DeFayette, Director, Enforcement and Investigation Coordination Staff

B. A. Berson, Regional Counsel

B. J. Holt, Chief, Nuclear Materials Inspection Section 1

W. P. Reichhold, Radiation Specialist

2. Enforcement Conference Summary

A telephone enforcement conference was conducted on August 18, 1992 as a result of the preliminary findings of the inspection conducted on July 13, 15, 23, and August 27, 1992, in which apparent violations of NRC regulations and license conditions were identified. Inspection findings are documented in Inspection Report No. 030-31268/92-001(DRSS), transmitted to the licensee on August 14, 1992.

The purpose of this conference was to (1) discuss the apparent violations, causes, and the licensee's corrective actions; (2) discuss several areas of concern; (3) determine if there were any escalating or mitigating circumstances; and (4) obtain any information which would help determine the appropriate enforcement action.

The licensee's representatives did not contest any of the apparent violations and were in agreement with the NRC's understanding of the areas of concern. On August 18, 1992, prior to the enforcement conference, the licensee transmitted three documents to the NRC Region III office providing additional information in response to the apparent violations (See attachment 1).

The licensee's representatives described the events which led to the violations, including root cause(s) and corrective action(s) taken. In summary, the corrective actions were (1) gauge users were instructed to maintain control over moisture/density (m/d) gauges at temporary job sites; (2) gauge users were instructed to check vehicles for contamination prior to moving them, if the vehicles were involved in an accident with an m/d gauge; (3) m/d gauges at temporary jobsites will be secured in storage areas controlled by the licensee; (4) new m/d gauge users will be required to complete the manufacturer's training course before they use the gauge; (5) leak tests due dates will be kept on file

and a sticker indicating when the next leak test is due will be put on the m/d gauge's storage container; and (6) the new storage area for m/d gauges and the new RPO were approved by license Amendment 1 issued on August 13, 1992.

During our discussion of the corrective actions there was some confusion about the following items:

- a. Issuance of the licensee's letter dated November 27, 1991, requesting an amendment to change the RPO and storage location.
- b. The supervision provided to an unauthorized individual using a m/d gauge.
- c. The access to the keys for the trailer's storage room at the Evanston Avenue jobsite.

These issues were clarified in letter dated August 27, 1992 signed by Roger Ward (see attachment 2).

At the conclusion of the meeting, the licensee was informed that it would be notified in the near future of the final enforcement action.

Attachments: As stated



HOWARD NEEDLES TAMMEN & BERGENCOFF
ARCHITECTS ENGINEERS PLANNERS

111 Munawana Circle
Indianapolis, Indiana
46204-5178
(317) 636-4682
FAX (317) 635-0505

November 27, 1991

U.S. Nuclear Regulatory Commission
Region III
Materials Licensing Section
Glen Ellyn, Illinois 60137

Attention: Mr. Kevin G. Null

Re: Amendment to Materials License #13-23425-01

Dear Mr. Null:

We are writing to you in regards to modifications to our Materials License for Nuclear Moisture/Density Gauges. The following is a list of items for modification:

1. Item No. 10 - Change of address and location map: 111 Monument Circle, Indianapolis, Indiana 46204-5178.
2. Item No. 11.B - Radiation Protection Officer: Mr. Monte A. Gardner, P.E.

If you have any questions, feel free to contact me at (317) 636-4682.

Very truly yours,

HOWARD NEEDLES TAMMEN & BERGENDOFF

Monte A. Guichen

Monte A. Gardner, P.E.
Construction Manager

MAG/maro

Enclosures

[illegible]

ITEM 56. page 7

P.O. Box 12057, 3006 Corwell Rd. Research Triangle Park,
North Carolina 27709, U.S.A.

Device - Model # 3440, Serial # 18334
Source(s) - Serial # 507835, Serial # 473783
Date of Test: 7-25-91

Please print legibly and firmly. This is your return address label.

- HNTB
- 225 N. NEW JERSEY ST.
- INDIANAPOLIS, IN 46204
-

Your Name: MONTY GARDNER
Telephone: (317) 636-4682

ORIGINAL COPY

Rec. 8/6/91

LEAK TEST ANALYSIS

This certifies that the sample accompanying this form has been analyzed using an approved monitoring method that measures both beta/gamma & alpha contamination; and, that the results of this analysis shows the removable activity to be less than 0.005 microcuries.

D. Y. C. Chen
7-31-91

FROM KRA Field Book Log

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REMINDER

Deliveries confirmed?
Report info. assembled?
Schedule commitments in process?

MONTH TO DATE	6	9
MONTH REMAINING	10	23
YEAR TO DATE	48	69
YEAR REMAINING	205	207

MARCH

9

MONDAY

EVENTS

- Phone
- Phone Updates
- Phone Updates
- Phone Proposals
- Phone Deliveries
- Phone Information/Instructions

DIARY

CALL MAG about use of
gauge might need Tuesday.

MAG will not be w get
key from personnel. Take
leak test.

Problems with main pumps
A/C will be in tomorrow

JOB NO. APPOINTMENTS/EVENTS/CALLS

7AM	
8AM	
9AM	
10AM	
11AM	
12NOON	
1PM	
2PM	
3PM	
4PM	
5PM	
6PM	

WEATHER/TEMP	8AM	12NOON	4PM
	35°	47°	39°

EXPENSES

FEBRUARY							MARCH							APRIL						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
22	23	24	25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	

Response: When Mr. Crume was hired by HNTB, we had assumed that Mr. Crume was authorized to use the m/d gauge because he had used the gauge for his previous employer at the Lafayette job site. In October 1991, a m/d gauge was first brought to the Lafayette job site for use. Both Mr. Keith and Mr. Crume used the gauge together for several days after which Mr. Keith was satisfied that Mr. Crume knew how to operate the gauge. The gauge was returned to Indianapolis. In June 1992, a new gauge was brought to the Lafayette job site and was used exclusively by Mr. Crume without the supervision of Mr. Keith.

Mr. W.P. Reichhold
August 27, 1992
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Issue: *Key access to m/d gauge at the Evanston Avenue job site*

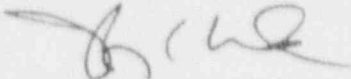
Response: The m/d gauge was stored in one room of a two-room trailer. Each room had an outside door and a common interconnecting interior door. Each door of the trailer was keylocked. The m/d gauge was stored with other equipment belonging to the Indianapolis Department of Public Works (DPW). Mr. Reinhart, a DPW employee, always had keys to both doors of the room which stored the m/d gauge because Mr. Reinhart required access to the other equipment stored with the m/d gauge. Mr. Reinhart did not have, and was never given, the key to the padlock on the source rod of the m/d gauge.

We apologize for the confusion on these issues.

Please call if additional information is needed.

Very truly yours,

HOWARD NEEDLES TAMMEN & BERGENDOFF



Roger C. Ward, P.E.
Associate

RCW/jsb

cc: Monte A. Gardner, HNTB