



## Materials Inspection Report

<b>1. Licensee/Location Inspected:</b>  Herzog Contracting Corporation P.O. Box 1089 St. Joseph, MO 64502  <b>Report Number(s)</b> 2024-001	<b>2. NRC/Regional Office</b>  Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352
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<b>3. Docket Number(s)</b> 030-32650	<b>4. License Number(s)</b> 24-26380-01	<b>5. Date(s) of Inspection</b> 4/16/2024
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**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. During this inspection, certain of your activities, as described below and/or attached, were in violation of NRC requirements, and were assessed at Severity Level IV, in accordance with the NRC Enforcement Policy.

A. 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, corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy were satisfied.  
 (Non-cited violation(s) was/were discussed involving the following requirement(s))

B. The following violation(s) is/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 AND DATE
LICENSEE'S REPRESENTATIVE		
NRC INSPECTOR	Luis Nieves/ Laura Dresen	Luis A. Nieves Folch <small>Digitally signed by Luis A. Nieves Folch Date: 2024.04.26 08:48:10 -05'00'</small>
BRANCH CHIEF	Rhex Edwards	<small>Digitally signed by RHEX EDWARDS Date: 2024.04.26 08:51:14 -05'00'</small>



### Materials Inspection Record

1. Licensee Name: Herzog Contracting Corporation		2. Docket Number(s): 030-32650		3. License Number(s) 24-26380-01	
4. Report Number(s): 2024001			5. Date(s) of Inspection: 4/16/2024		
6. Inspector(s): Luis Nieves/ Laura Dresen		7. Program Code(s): 03121	8. Priority: 5	9. Inspection Guidance Used: 87139	
10. Licensee Contact Name(s): Greg Cayer, RSO		11. Licensee E-mail Address: gcayer@herzog.com		12. Licensee Telephone Number(s): 816-901-4005	

13. Inspection Type: <input type="checkbox"/> Initial		14. Locations Inspected: <input type="checkbox"/> Hybrid		15. Next Inspection Date (MM/DD/YYYY):	
<input checked="" type="checkbox"/> Routine	<input type="checkbox"/> Announced	<input checked="" type="checkbox"/> Main Office	<input type="checkbox"/> Field Office	4/16/2029	
<input type="checkbox"/> Non-Routine	<input checked="" type="checkbox"/> Unannounced	<input type="checkbox"/> Temporary Job Site	<input type="checkbox"/> Remote	<input checked="" type="checkbox"/> Normal	<input type="checkbox"/> Extended
				<input type="checkbox"/> Reduced	<input type="checkbox"/> No change

16. Location(s) Inspected List:  
103 Roseport Rd, Elwood KS 66024

17. Scope and Observations:

This was an unannounced, routine inspection of an engineering company in Elwood, Kansas. The licensee has a byproduct material to use gauges with Kansas, but 90 percent of their work is done in Missouri. The licensee does not have any locations in NRC jurisdiction. The licensee performs soil and asphalt density testing in the Missouri area. The licensee possessed two Troxler Model 3440. At the time of the inspection, the licensee employed five certified gauge users. The licensee did not perform any service or maintenance activities on its gauges. These activities were performed by the manufacturer and service providers.

At the time of the inspection, the gauges were not being used and were properly secured with two barriers at the office. The licensee demonstrated how they use the gauge, use ALARA practices in the field, and secure the gauge during transport. The licensee had the required shipping papers that contained all appropriate information and demonstrated how they were made accessible in the transport vehicle. The operators demonstrated an adequate level of understanding of emergency and handling procedures during interviews. The inspector reviewed annual audits, leak tests, hazmat training records, dosimetry records, and usage logs.

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

Signature and Date - Branch Chief



Digitally signed by RHEX EDWARDS  
Date: 2024.04.26 08:50:29 -05'00'

**From:** [Luis Nieves Folch](#)  
**To:** "[gcayer@herzog.com](mailto:gcayer@herzog.com)"  
**Subject:** NRC IR Herzog Contracting Corporation  
**Date:** Monday, April 29, 2024 9:26:00 AM  
**Attachments:** [591M- Herzog sign2\\_RAE.pdf](#)

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Dear Greg

Attach is the clear 591 report for the inspection conducted on 4/16/2024. At this point 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