



Materials Inspection Report

1. Licensee/Location Inspected: Allstate Consultants, LLC 3312 LeMone Industrial Blvd. Columbia, MO 65201 Report Number(s) 2024001	2. NRC/Regional Office Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. Docket Number(s) 030-36267	4. License Number(s) 24-32454-01	5. Date(s) of Inspection 2/15/24 - 4/2/24

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)
 (1) 10 CFR 30.34(i) requires that each portable gauge licensee use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges were not under the control and constant surveillance of the licensee.

Contrary to the above, prior to February 15, 2024, the licensee failed to use a minimum of two independent
 (continued on Page 2)

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	Stephen Lin, PE, RSO	Stephen Lin	
NRC INSPECTOR	Jason Draper, Health Physicist	JASON DRAPER	
BRANCH CHIEF	Rhex Edwards		

Materials Inspection Report (Continued)

(continued from Page 1)

physical controls that form tangible barriers to secure portable gauges from unauthorized removal, when the portable gauges were not under the control and control and constant surveillance of the licensee. Specifically, when transporting gauges in the beds of licensee trucks, the licensee routinely secured the gauges in such a way that the two chains that were intended to provide the two required barriers were secured to the truck bed using only a single padlock.

As corrective action, the licensee procured additional padlock and instructed all gauge users to secure the chains separately by March 1, 2024.

This is a Severity Level IV violation. (Enforcement Policy Section 6.3)

(b) 10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 107, 171-180, and 390-397.

49 CFR 172.702(d) requires that a hazmat employer shall ensure that each of its hazmat employees is tested by appropriate means on the training subjects covered in 49 CFR 172.704. The terms Hazmat Employer and Hazmat Employee are defined in 49 CFR 171.8.

Contrary to the above prior to February 15, 2024, the licensee, a hazmat employer, failed to ensure that each of its hazmat employees was tested by appropriate means. Specifically, whenever the licensee provided recurrent hazmat training, the licensee tested the hazmat employees in a group setting instead of individually.

As corrective action, the licensee planned to continue to provide recurrent hazmat training in a group setting, but then administer a test to each individual hazmat employee in the form of a written examination, oral quiz, demonstration of ability or other acceptable method. The licensee typically provides recurrent hazmat training in January of each year.

This is a Severity Level IV violation. (Enforcement Policy Section 6.3)



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4. Report Number(s): 2024001			5. Date(s) of Inspection: February 15, 2024, with in-office review through April 2, 2024		
6. Inspector(s): Jason Draper		7. Program Code(s): 03121	8. Priority: 5	9. Inspection Guidance Used: IP 87139	
10. Licensee Contact Name(s): Stephen Lin, P.E., RSO		11. Licensee E-mail Address: SLin@allstateconsultants.net		12. Licensee Telephone Number(s): 573-875-8799	
13. Inspection Type: <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Announced <input type="checkbox"/> Non-Routine <input checked="" type="checkbox"/> Unannounced		14. Locations Inspected: <input type="checkbox"/> Hybrid <input checked="" type="checkbox"/> Main Office <input type="checkbox"/> Temporary Job Site <input type="checkbox"/> Field Office <input type="checkbox"/> Remote		15. Next Inspection Date (MM/DD/YYYY): 02/15/2029 <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Extended <input type="checkbox"/> Reduced <input type="checkbox"/> No change	
16. Location(s) Inspected List: Main Office - 3312 LeMone Industrial Blvd, Columbia, MO					
17. Scope and Observations: <p>This was an inspection of a soil and materials testing company authorized to use portable nuclear gauges at three facilities in Missouri and at temporary job sites anywhere in NRC jurisdiction. At the time of the inspection, the licensee employed approximately 15 authorized gauge users and possessed six CPN Model MC and two Troxler Model 3400 Series moisture density gauges that were used for construction projects across Missouri during the construction season. The licensee routinely stored gauges at its Columbia and Marceline locations, but rarely stored gauges at its Lee's Summit location.</p> <p>During the inspection, the inspector toured the licensee's storage facility. The inspector verified that the gauges were secured appropriately and made independent surveys to verify dose rates would not cause members of the public to exceed exposure limits and that the licensee's survey meter was functional. The licensee did not have any gauge-related work planned for the day, so the inspector observed the RSO demonstrate transportation and use of the gauges. The inspector identified that the licensee's method of securing the gauge transportation case to the bed of the truck during transport allowed the transportation case to be removed from the bed of the truck by disabling only one padlock. This is contrary to 10 CFR 30.34(i). The licensee took corrective actions to procure additional padlocks and instruct the gauge users to secure the two barriers (chains) with separate padlocks.</p> <p>The inspector interviewed the RSO and reviewed records associated with training, shipping papers, leak tests, inventory, dosimetry, and periodic program reviews. Through the interview and records review, the inspector identified that for recurrent hazmat training, the licensee tested its hazmat employees using a verbal group quiz instead of ensuring that each hazmat employee was tested as required by 49 CFR 172.702(d). The licensee took corrective actions to implement individual testing in the form of a written examination, oral quiz, demonstration of ability, or other acceptable method, following the group recurrent hazmat training that is typically conducted in January of each year.</p> <p>During the previous inspection (IR 03036267/2018001) a SLIV violation of 10 CFR 30.34(c) was identified for the</p>					

Materials Inspection Record (Continued)

licensee's failure to confine its possession and use to the locations authorized in the license when it stored gauges at its Marceline facility, a location that was not listed on the license at the time. During this inspection, the inspector verified that the licensee implemented the proposed corrective actions, including amending the license to include the location and committing to amending its license prior to possessing material at other future locations. This violation is closed.

Two Severity Level IV violations of NRC requirements were identified as a result of this inspection.

Signature and Date - Branch Chief



Digitally signed by RHEX EDWARDS
Date: 2024.04.25 13:43:32 -05'00'