

**Docket File Information**  
**SAFETY INSPECTION REPORT**  
**AND COMPLIANCE INSPECTION**

1. LICENSEE <b>Bauerly Brothers Inc</b> REPORT NUMBER(S) 2005-001		2. NRC/REGIONAL OFFICE <b>Region III</b>	
3. DOCKET NUMBER(S) 030-30410	4. LICENSE NUMBER(S) 22-25878-01	5. DATE(S) OF INSPECTION November 14, 2005	
6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01 - 03.07		
<b>SUPPLEMENTAL INSPECTION INFORMATION</b>			
1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Timothy Sakry	4. TELEPHONE NUMBER 820/450-9472

☒ Main Office Inspection      Next Inspection Date: 11/2010  
☐ Field Office \_\_\_\_\_  
☐ Temporary Job Site \_\_\_\_\_

**PROGRAM SCOPE**

The licensee is a large engineering firm located in the City of Sauk Rapids, Minnesota. They perform soil density and compaction testing over the northwest Minnesota region. The licensee has four Troxler 3440 series gauges. The gauges are normally stored at licensee's authorized storage facilities located throughout northern Minnesota. The licensee does not performed any service or maintenance activities on the gauges. The licensee employees twelve gauge users who have completed the manufacturers training.

**Performance Observations**

Licensee demonstrated how the gauge is used for the inspector. Interviews of licensee personnel indicated an adequate level of knowledge of radiation safety.

Independent surveys of the gauge storage area indicated minimal results. Although licensee personnel are badged, readings for the past year were nominally at the minimum level. Licensee has implemented the new gauge security policy. Adequate security is provided for in the storage location and in the trucks used to transport the gauge. Surveys of the storage area by the inspector revealed only minimal results.

At the time of the inspection, Timothy Sakry, the person designated as radiation safety officer on the license, had left the company more than 90 days prior and licensee had failed to notify the NRC of this change. This is a violation of the conditions under which license 22-25878-01 was issued. A qualified individuals has been performing the duties of radiation safety office in the interim but was not officially listed on the license. Licesnsee has now filed the appropriate amendment listing the person performing the duties of RSO..

(10-2003)

10 CFR 2.201

## SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

## 1 LICENSEE/LOCATION INSPECTED:

Bauerly Brothers, Inc  
4787 ShadowWood Dr. NE  
Sauk Rapids, MN 56379  
REPORT 2005001

## 2 NRC/REGIONAL OFFICE

US NRC Reg 111  
2443 Warrenville Rd  
Suite 210  
Lisle, IL 60532

## 3 DOCKET NUMBER(S)

030-30410

## 4 LICENSEE NUMBER(S)

22-25878-01

## 5. DATE(S) OF INSPECTION

Nov 14, 2005

## 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, NUREG-1600, to exercise discretion, were satisfied.

Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(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. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.

(Violations and Corrective Actions)

Condition 11A. of License 22-25878-01 lists Timothy J. Sakry as Radiation Safety Officer.

Contrary to the above, as of 14 November 2005 Timothy Sakry is no longer with the licensee and has not been since May of 2005. ~~Failure to notify the commission of this change~~ <sup>There is a violation of the conditions</sup> under which license 22-25878-01 was issued.

A qualified radiation safety officer has now been assumed the duties of radiation safety officer.

## Licensee's Statement of Corrective Actions for Item 4, above.

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	ROBERT L. Nicely	<i>Robert L. Nicely</i>	NOV. 14, 2005
NRC INSPECTOR	G. Porter	<i>G. Porter</i>	NOV 14, 2005