




NRC FORM 591M PART 1 (10-2011) 10 CFR 2.201		U.S. NUCLEAR REGULATORY COMMISSION	
SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION			
1. LICENSEE/LOCATION INSPECTED: Lawson-Fisher Associates, P. C. 525 West Washington Avenue South Bend, IN 46601 REPORT NUMBER(S) 12-01		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenton Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-34487	4. LICENSE NUMBER(S) 13-32007-01	5. DATE(S) OF INSPECTION February 29, 2012	
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:			
<div style="display: flex; flex-direction: column;"> <div style="margin-bottom: 10px;"> <input type="checkbox"/> 1. Based on the inspection findings, no violations were identified. </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> 2. Previous violation(s) closed. </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> 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. </div> <div style="margin-bottom: 10px;"> _____ Non-cited violation(s) were discussed involving the following requirement(s): </div> </div>			
<input checked="" type="checkbox"/> 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) 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 172.704(a) specifies the elements of hazmat employee training as: (1) general awareness/familiarization training, (2) function-specific training, and (3) safety training. 49 CFR 172.704(c) requires, in part, that a hazmat employee receive initial training, and recurrent training at least once every three years.			
Continued on Part 2 (next page)			
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	Don Dietz, RSO		3/9/12
NRC INSPECTOR	Robert P. Hays		3/8/12
BRANCH CHIEF	Tamara E. Bloomer		3/8/12

NRC FORM 591M PART 1 (10-2011)

RECEIVED 03-08-'12 14:57 FROM- 6308299782

TO- Lawson Fisher Assoc. P0002/0003

NRC FORM 591M PART 2 (10-2011) 10 CFR 2.201		U.S. NUCLEAR REGULATORY COMMISSION	
SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION			
1. LICENSEE/LOCATION INSPECTED: Lawson-Fisher Associates, P. C. 525 West Washington Avenue South Bend, IN 46601 REPORT NUMBER(S) 12-01		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-34487	4. LICENSE NUMBER(S) 13-32007-01	5. DATE(S) OF INSPECTION February 29, 2012	
<p>(Continued)</p> <p>Contrary to the above, the licensee did not provide training for its hazmat employees which satisfied the requirements in Subpart H to 49 CFR Part 172, in that during the period between February 28, 2009, and February 29, 2012, a period greater than three years. Specifically, the licensee did not provide at least once during the prior three years, recurrent training for its hazmat employees as required and the licensee otherwise meets the definition of a hazmat employer in 49 CFR 171.8.</p> <p>This is a Severity Level IV Violation (Section 6.3.d.4).</p> <p>The licensee's proposed corrective actions include developing a recurrent hazmat refresher training program and provide the training for its hazmat employees within the next 30 days and ensure that the recurrent training is provided at least once every three years thereafter.</p>			

NRC FORM 591M PART 2 (10-2011)

RECEIVED 03-08-'12 14:57 FROM- 6308299782

TO- Lawson Fisher Assoc. P0003/0003

Docket File Information

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Lawson-Fisher Associates, P. C. 525 West Washington Avenue South Bend, IN 46601 REPORT NUMBER(S) 12-01		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-34487	4. LICENSE NUMBER(S) 13-32007-01	5. DATE(S) OF INSPECTION February 29, 2012	
6. INSPECTION PROCEDURES USED 87124	7. INSPECTION FOCUS AREAS 03.01-03.07		

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 03121	2. PRIORITY 5	3. LICENSEE CONTACT Don Dietz, RSO	4. TELEPHONE NUMBER (574) 234-3167
-----------------------------	------------------	---------------------------------------	---------------------------------------

<input checked="" type="checkbox"/> Main Office Inspection	Next Inspection Date: 02/28/2017
<input type="checkbox"/> Field Office Inspection	
<input checked="" type="checkbox"/> Temporary Job Site Inspection Koontz Lake, IN	

PROGRAM SCOPE

The licensee is authorized to possess and use up to five Troxler Model 3400 series portable gauging devices at temporary job sites anywhere in the United States where the NRC maintains regulatory jurisdiction. The licensee is authorized by the license for one storage location in Indiana. At the time of the inspection, the licensee possessed one device as authorized by the license and is used on construction projects in the South Bend, IN vicinity and not transported to other states. The gauge is stored at a temporary job site as needed. The licensee has a total of 7 authorized gauge users with training certificates maintained by the RSO. At the time of the inspection, the gauge was being used and stored at a temporary job site at the licensee's construction project in Koontz Lake, IN, using a minimum of two tangible barriers.

Performance Observations

During this inspection, the inspector reviewed and the RSO demonstrated/discussed: (1) Two tangible barriers for gauge security and padlocks while unattended and stored at a temporary job site; (2) DOT requirements and shipping papers; (3) dosimetry (no annual dose greater than 20 mrem); (4) sealed source inventories and leak tests (June 2011); (5) survey meter availability and use; (6) emergency procedures and reporting requirements; (7) annual program reviews. One violation of 49 CFR 172.704(c) for failing to provide recurrent HAZMAT training at least once every three years was identified.

The inspector performed independent radiation measurements which indicated no dose concerns and consistent with expected readings.