

## INSPECTION RECORD

Region III  
License No. 24-18683-01

Inspection Report No. 03014038/12-001(DNMS)  
Docket No. 030-14038

**Licensee (Name and Address):**  
Bucher, Willis & Ratliff Corporation  
903 East 104th Street, Suite 800  
Kansas City, Missouri 64131

**Licensee Contact:** Christopher Flageolle, PE., RSO  
**Priority:** 5

**Telephone No.** 816-363-2696  
**Program Code:** 3121

**Date of Last Inspection:** February 9, 2006  
**Date of This Inspection:** February 13, through May 31, 2012

**Type of Inspection:** ( ) Initial ( ) Announced (X) Unannounced  
(X) Routine ( ) Special

**Next Inspection Date:** February 13, 2017 (X) Normal ( ) Reduced

**Summary of Findings and Actions:**

- ( ) No violations cited, clear U.S. Nuclear Regulatory Commission (NRC) Form 591 or regional letter issued
- ( ) Non-cited violations (NCVs)
- ( ) Violation(s), Form 591 issued
- (X) Violation(s), regional letter issued
- ( ) Follow-up on previous violations

Inspector:



Jason M. Razo, Health Physicist  
Nuclear Materials Safety Branch – A

Date: 6/20, 2012

Approved:



Hironori Peterson, Acting Chief  
Materials Inspection Branch

Date: 6/21, 2012

## **PART I - LICENSE, INSPECTION, INCIDENT/EVENT, AND ENFORCEMENT HISTORY**

### **1. AMENDMENTS AND PROGRAM CHANGES:**

Amendment #10, corrected copy dated June 28, 2011, established maximum possession limits.

### **2. INSPECTION AND ENFORCEMENT HISTORY:**

No violations identified during last inspection in February 2006.

### **3. INCIDENT/EVENT HISTORY:**

No licensee events were reported since the last U.S. Nuclear Regulatory Commission (NRC) inspection. No open Nuclear Materials Event Database (NMED) items were pending for this licensee.

## **PART II - INSPECTION DOCUMENTATION**

### **1. ORGANIZATION AND SCOPE OF PROGRAM:**

Licensee used nine portable gauges for aviation, architecture, municipal engineering and urban planning projects. The licensee used to store gauges at both authorized locations. However, in October 2005, the licensee vacated the offices at 7920 Ward Parkway and moved all the gauges to the 903 East 104th Street address. The radiation safety officer (RSO), Christopher Flageolle, reports to Donald Klapmeyer, the Vice President and Practice Leader for the aviation division in Kansas City. In November 2010, the company merged with H.W. Lochner, Inc. (030-30661) out of Chicago, Illinois. The gauges were used primarily at airport runway construction projects throughout Missouri. There are approximately 20 authorized gauge users between the licensee's Kansas City office and an Agreement State field office in Kansas.

### **2. SCOPE OF INSPECTION:**

Inspection Procedures Used: 87124 and 86740

Focus Areas Evaluated: Section 03.01 through 03.07

Reviewed storage facility on 1st floor of main office building, which met the two independent physical control requirements. In addition, licensee described security controls at temporary job sites that were adequate to meet the requirements of 30.34(i); there were no temporary job sites scheduled on the day of the inspection.

Licensee has a radiation survey instrument available for emergency situations and performing public dose assessments at the storage location. A "Caution, Radioactive Materials," sign and an NRC Form 3 were posted in the correct areas. Inspector reviewed transportation cases and shipping documents, which had all required labels and Department of Transportation (DOT) information. Leak test and inventories were current and conducted at the appropriate intervals. Gauge users wear personnel

dosimetry; the highest annual dose since the last inspection was 154 mrem deep dose equivalent. The RSO tracks gauge user training and ensures that HAZMAT refresher training is received at least every three years.

3. **INDEPENDENT AND CONFIRMATORY MEASUREMENTS:**

The NRC inspector conducted independent radiation surveys in the portable gauge storage area and in adjacent unrestricted areas. No unusual radiation levels were detected and radiation levels were within regulatory limits.

4. **VIOLATIONS, NON-CITED VIOLATIONS, AND OTHER SAFETY ISSUES:**

Title 10 of the Code of Federal Regulations (CFR) 30.34(b) requires that no license issued or granted pursuant to 10 CFR Parts 30 through 39, nor any right under a license shall be transferred, assigned or in any manner disposed of either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Atomic Energy Act of 1954 as amended, and shall give its consent in writing.

Contrary to the above, from November 12, 2010, through February 13, 2012, the licensee failed to secure the NRC's consent in writing prior to a change in control of licensed activities. Specifically, on November 12, 2010, the licensee underwent a merger with H. W. Lochner, Incorporated without first providing NRC an opportunity to determine whether the merger was in accordance with the provisions of the Act and to consent in writing to the transfer.

The licensee merged with H.W. Lochner (030-30661) in November 2010 and neither licensee realized the need to notify the NRC of the transaction. Licensee provided the change of control documentation to the NRC on May 14, 2012, and intends to terminate the Bucher, Willis & Ratliff Corporation license and make it a field office of the H.W. Lochner license.

Minor violations related to documenting the following items were discussed with the licensee but not cited: public dose assessment, operating and emergency and security procedures, and annual audits.

5. **PERSONNEL CONTACTED:**

# Donald L. Klappmeyer, P.E., Vice President, Practice Leader – Aviation  
#\* Christopher Flageolle, Radiation Safety Officer

Use the following identification symbols:

# Individuals present at entrance meeting

\* Individuals present at telephone exit meeting on June 1, 2012

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