

NRC FORM 591M PART 1

(4-2008)
10 CFR 2.201

U.S. NUCLEAR REGULATORY COMMISSION

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED:

Idaho Sand & Gravel Company
924 North Sugar Street
Nampa, Idaho
Locations Inspected: above and TJS at
155 East Amity Rd, Boise, Idaho

2. NRC/REGIONAL OFFICE

U.S. Nuclear Regulatory Commission
Region IV, 1600 East Lamar Blvd
Arlington, Texas 76011-4511

REPORT NO.: 2017-001

3. DOCKET NUMBER

030-37202

4. LICENSE NUMBER

11-29230-01

5. DATE(S) OF INSPECTION

December 20, 2017

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. **2007-001**
- ☐ 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.

☐ 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.
- A) 10 CFR 20.1101(c) requires that the licensee shall periodically (at least annually) review the radiation protection program (RPP) content and implementation.

Contrary to the above, from January 1, 2012 through December 20, 2017, the licensee failed to review the RPP content and implementation.

To correct this violation, the licensee Radiation Safety Officer (RSO) reviewed the RPP the day after the inspection, using the Portable Gauge Audit Checklist contained in Appendix E of NUREG-1556, Vol. 1, Rev. 2.

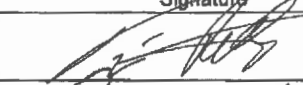
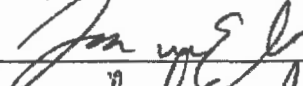
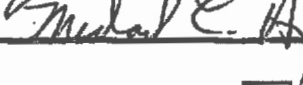
This is a Severity Level IV violation (Section 6.3.d)

- B) License Condition 21 of NRC License 11-29230-01, Amendment No. 4, dated October 25, 2016, requires, in part, that the licensee conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, contained in the application dated September 2, 2016.

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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	Tim Bentley		12/27/2017
NRC INSPECTOR	Jason vonEhr		12/26/2017
BRANCH CHIEF	Michael C. Hay		12/26/2017

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☐ Non-Public ☐ Sensitive - Security-Related

☒ Public

☒ Non-Sensitive

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3. DOCKET NUMBER 030-37202	4. LICENSE NUMBER 11-29230-01	5. DATE(S) OF INSPECTION December 20, 2017	

CONTINUED FROM PART 1

The application dated September 2, 2016, under Item No. 10, "Radiation Safety Program - Operating, Emergency, and Security Procedures," requires that the licensee implement and maintain the operating, emergency, and security procedures in Appendix G of NUREG-1556, Vol. 1, Rev. 2, and provide copies of these procedures to all gauge users and at each job site.

Contrary to the above, from October 26, 2017 through December 20, 2017, the licensee failed to implement and maintain the operating, emergency, and security procedures in Appendix G of NUREG-1556, Vol. 1, Rev. 2, and provide copies of these procedures to all gauge users and at each job site. Specifically, the licensee's gauge users were utilizing an older set of procedures from 2005, and had not updated their documents to reflect the commitments made during the 2016 license renewal.

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

To correct this violation, the RSO printed out copies of Appendix G of NUREG-1556 Vol. 1, Rev. 2, and the inspector, RSO, and gauge user reviewed the Appendix while on-site. The Appendix was added to the gauge user's documents the same day of the inspection.

- C) 49 CFR 172.403(g) requires, in part, the following applicable items of information must be entered in the blank spaces on the RADIOACTIVE label by legible printing: (1) *Contents*- the names of the radionuclides as taken from the listing of radionuclides in 49 CFR 173.435; (2) *Activity*- the maximum activity of the radioactive contents in the package during transport must be expressed in appropriate SI units (e.g., Becquerels (Bq), Terebecquerels (TBq)); and (3) *Transport Index*.

Pursuant to 49 CFR 173.403, Transport Index means the dimensionless number (rounded up to the next tenth) placed on the label of a package, to designate the degree of control to be exercised by the carrier during transportation. The transport index is determined by multiplying the maximum radiation level in millisieverts (mSv) per hour at 1 m (3.3 ft) from the external surface of the package by 100 (equivalent to the maximum radiation level in millirem per hour at 1 m (3.3 ft)).

Contrary to the above, from at least January 1, 2017, through December 20, 2017, the licensee failed to enter the Contents, Activity, and Transport Index in the blank spaces on the RADIOACTIVE label by legible printing. Specifically, one portable nuclear gauge that had been transported to a temporary job site was found to be missing the Transport Index, and a second in storage was missing all the above information (Contents, Activity, and Transport Index). Both gauges had been transported numerous times in this state since at least the beginning of the year.

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

To correct this violation, the RSO and gauge user immediately used a durable means of marking to complete the required information on the gauge at the temporary job site, and committed to marking the second gauge in storage prior to transporting it off-site.