

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED:

Infrared Roofing Technologies, LLC
2149 Potter Rd. E.
Traverse City, MI 49696

REPORT NUMBER(S) 2018001

2. NRC/REGIONAL OFFICE

Region III
U. S. Nuclear Regulatory Commission
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

3. DOCKET NUMBER(S)

030-39031

4. LICENSE NUMBER(S)

21-32845-01

5. DATE(S) OF INSPECTION

January 19, 2018

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, to exercise discretion, were satisfied.

Non-cited violation(s) were discussed involving the following requirement(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 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.

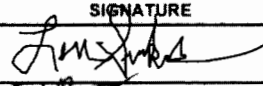


(Violations and Corrective Actions)

1) Contrary to Title 10 of the Code of Federal Regulations (CFR) 30.34(i), from April 26, 2017, to January 19, 2018, the licensee failed to use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

The cause of the violation was the licensee's misunderstanding of the two-barrier requirement by only having one barrier, a locked structure in which the gauge was stored with no additional controls securing the gauge inside. As corrective action, the licensee bolted the storage box to the floor the same day of the inspection, establishing two independent physical controls.

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 | Len Simkins |  | 2/7/18 |
| NRC INSPECTOR | Luis Nieves Folch |  | 2/7/18 |
| BRANCH CHIEF | Aaron T. McCraw |  | 2/7/18 |

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(Continued)

2) Contrary to 10 CFR 71.5(a) and 49 CFR 172.702, as the date of the inspection January 19, 2018, the licensee failed to acquired initial training that satisfied the requirements in Subpart H to 49 CFR 172.704(c).

The cause of the violation was that the licensee was not aware of the requirement. As corrective action, the licensee took the hazmant training on January 29, 2018.

Docket File Information

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6. INSPECTION PROCEDURES USED

87124

7. INSPECTION FOCUS AREAS

03.01-03.08

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S)

03121

2. PRIORITY

5

3. LICENSEE CONTACT

Len Simkins - RSO

4. TELEPHONE NUMBER

(231) 590-9899

- ☒ Main Office Inspection
☐ Field Office Inspection
☐ Temporary Job Site Inspection

Next Inspection Date: January 19, 2023

PROGRAM SCOPE

This was an announced, initial inspection of a small roofing contractor located in Traverse City, Michigan. The licensee possessed one specifically licensed device, a Troxler Model 3216 at this location. The gauge was used to measure the density on roofs. The RSO/owner was the only authorized user. The licensee did not perform any maintenance or repair activities related to the gauge; the activities were performed by the manufacturer or a specifically licensed service provider. The licensee traveled all over the Midwest area performing services and was aware of reciprocity requirements in Agreement States.

Performance Observations

The licensee demonstrated how to use the gauge, use ALARA practices in the field, and secure the gauge during transport while at the main office. The operator demonstrated an adequate level of understanding of emergency and handling procedures during interviews.

One violation was identified during this inspection, concerning the two-barrier requirement as documented on Part 1 of this Form.

Nieves Folch, Luis

From: Nieves Folch, Luis
Sent: Wednesday, February 07, 2018 11:09 AM
To: 'Len Simkins'
Subject: NRC 591M Report
Attachments: image2018-02-07-115708.pdf

Dear Mr. Simkins,

This email is to provide you with a copy of the inspection report completed for the inspection conducted on January 19, 2018. The results of the inspections was two severity level IV violations as discuss during the exit meeting. You are required to sign the report next to the space that says Licensees Representative, as acknowledgment and receipt of this report and send it back to me at this email address. After that no further actions are required on your part.

In accordance with Title 10 of the Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Please feel free to contact me if you have any questions, or if there is anything else we at the NRC can do to assist you.

Luis Nieves
Health Physicist
U.S. Nuclear Regulatory Commission
Division of Nuclear Materials Safety
(630) 829-9571