

## INSPECTION RECORD

**Region:** III      **Inspection Report No.** 2019001

**License No.** 21-24942-01  
**Docket No.** 030-29928

**Licensee:** Hillsdale County Road Commission  
1919 Hudson Road  
Hillsdale, MI 49242

**Locations Inspected:** Location above.

**Licensee Contact:** John Sanders, RSO

**Telephone No.** 517-439-9432

**Program Code:** 03121      **Priority:** 5

**Type of Inspection:**      ☐ Initial      ☒ Routine      ☐ Announced  
                                         ☐ Special      ☒ Unannounced

**Last Inspection Date:** 11/20/2013

**Date of This Inspection:** 4/8/2019 with in-office review  
through 8/19/19

**Next Inspection Date:** 4/8/2024

☒ 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
- ☒ Violation(s), regional letter issued
- ☐ Follow-up on previous violations

**Inspector:** Edward F. Harvey, Health Physicist

/RA/

*Signature*

**Date** 09/04/2019

**Approved:** Aaron T. McCraw, Chief, MIB

/RA/

*Signature*

**Date:** 09/06/2019

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

### **1. AMENDMENTS AND PROGRAM CHANGES SINCE LAST INSPECTION:**

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
9	8/01/2019	Change of Radiation Safety Officer (RSO).

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

The last inspection of this licensee was on November 20, 2013. No violations of NRC requirements were identified. The previous inspection was conducted on April 20, 2009, and no violations of NRC requirements were identified.

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

No open items or events since the last routine inspection.

## **PART II – INSPECTION DOCUMENTATION**

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

Hillsdale County Road Commission (licensee) is authorized under NRC Materials License No. 21-24942-01 to use licensed material for measuring physical properties of materials with nuclear gauging devices. Licensed material was authorized to be used at the licensee's location in Hillsdale, Michigan, and at temporary job sites within areas of NRC jurisdiction. At the time of the inspection, the licensee possessed one Troxler Model No. 3440 portable gauge and employed two authorized gauge users.

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

Inspection Procedure(s) Used: 87124

Focus Areas Evaluated: All

The inspector toured the licensee's main office to evaluate the licensee's measures for material security, hazard communication, and exposure control. The licensee's portable gauge was off site for annual calibration at the time of the inspection.

Through interviews with the Radiation Safety Officer (RSO) and a gauge user, the inspector found that the licensee's staff was knowledgeable of radiation protection principles and licensee procedures for use, storage, and transportation of portable gauges. In addition, both the gauge user and the RSO described the licensee's emergency procedures that would be implemented if the gauge were to be damaged while in use or transit. The inspector reviewed pertinent documents including leak test records, manufacturer training certificates, shipping papers, and the utilization log with no issues noted. The inspector performed independent surveys of the licensee's facility and found no readings that indicate exposures in excess regulatory limits.

3. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

During this inspection, the inspector identified that the individual named as the RSO on Amendment 8 of the license, which was in effect at the time of the inspection, was no longer employed by the licensee. The former RSO retired in November 2014, and the licensee appointed a new individual to carry out the duties and responsibilities of RSO thereafter; however, the licensee did not communicate this change to the NRC and give the NRC the opportunity to review the qualifications of that individual. Interviews with the newly appointed RSO and pertinent licensee records indicated that there was no lapse of radiation safety oversight during the transition.

License Condition 12 of NRC License 21-21369-01 requires a specifically listed individual to perform the duties and responsibility of RSO.

Contrary to the above, from November 2014 until July 31, 2019, the licensee failed to have the individual named on the license as RSO perform the duties and functions of RSO, following that individual's departure from the licensee's employment in November 2014. The licensee appointed a new individual to perform the duties and functions of RSO but did not submit an amendment request to the NRC to list the new individual as RSO until after the inspection, more specifically on May 9, 2019. The NRC reviewed the request, determined the individual was qualified, and approved the amendment request on August 1, 2019.

The inspector determined that the root cause of the violation was management oversight as the licensee experienced a change of personnel. As corrective actions to restore compliance, the licensee submitted an amendment request on May 9, 2019, to have the appointed individual named as RSO. This request was approved by the NRC and full compliance was achieved on August 1, 2019. As corrective action to prevent recurrence of the violation, the licensee stated that they will develop a policy to ensure that an amendment request is submitted to the NRC for any future changes in RSO.

5. PERSONNEL CONTACTED:

# John Sanders, RSO

# Attended exit meeting on August 19, 2019.

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