

DOD/ACB

FEB 07 1997

Roger Van Roekel
3143 Seebaldt
Waterford, MI 48329

Dear Mr. Van Roekel:

This refers to our February 3, 1997 phone conversation, in which you asked about NRC rules governing the use and control of portable moisture/density gauges used at temporary job sites. The relevant rules are as follows:

- Code of Federal Regulations, Title 10, Section 20.1802 - *Control of material not in storage - The licensee shall control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.*
- Standard License Condition No. 217 (This is used on nearly all NRC licenses for moisture/density gauges) - *When performing tests at temporary job sites, the authorized user shall not leave the moisture/density gauge unattended. Upon completion of tests the device shall be locked in the licensee's vehicle or a secure building to prevent unauthorized use, loss, or theft.*

Enclosed is some information concerning recent enforcement actions taken against NRC licensees for failure to maintain control of moisture/density gauges. Also enclosed is a booklet titled "Reporting Safety Concerns to the NRC," which you may find helpful.

During our telephone conversation, you mentioned an incident in 1994 in which a moisture/density gauge was struck by a construction vehicle which you were operating. I was unable to locate any information about this incident in our licensing files; therefore, I would appreciate it if you could call me at 1-800-522-3025 and provide further information about this incident.

Sincerely,

Original Signed By
Michael F. Weber
Health Physicist

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