

November 27, 2002

MEMORANDUM TO: Christopher G. Miller, Chief
Decommissioning Branch

FROM Edward Kulzer, Decommissioning Branch */RA/*

SUBJECT: INSPECTION OF MINNESOTA BREWING COMPANY, ST. PAUL, MN

This memo documents an inspection of the Minnesota Brewing Company, 882 West 7th St., St. Paul, MN 55102. The inspection was conducted on November 12, 2002, in response to a request to ensure that any generally licensed gauges were being properly cared for. The inspector requested and received a copy of the latest wipe tests on all gauges (1999). The inspector toured the facility with Mr. James Tobin, Court Appointed Receiver - MBC Holding Company and Ms. Susie Johnson, Safety Officer from Gopher State Ethanol Corporation. The inspector found eleven AM-241 gauges (Industrial Dynamics models FT-12s (8) and CI-2Cs (3), including (1) Peco gauge model Gamma 101P) used in filling operations. There was one Texas Nuclear Cs-137 gauge located in the Brew House building.

The NRC inspector used a Ludlum Model 2241-2 survey meter coupled with a Ludlum pancake probe, (Model No. 44-9), to survey the gauges. During the initial inspection, seven of the eleven gauges on the filling lines were found to have shutters in the open position. These gauges had not been altered since the facility closed in February 2002.

Since some of the fill lines were still energized, the NRC inspector requested that the circuit breakers to the fill lines be turned off. This action did not cause the shutters to close. The shutters appeared to be stuck in the open position and had to be closed mechanically. The inspector verified by radiation survey meter readings that all the shutters were closed.

The gauges, serial numbers of machine, serial numbers of the sources, and locations are listed below:

<u>GAUGE</u>	<u>SERIAL NUMBER</u>	<u>S/N SOURCE</u>	<u>LOCATION</u>
FT-12	102639	466	New Bottle Filler
FT-12	102640	467	Old Bottle Filler
FT-12	103691	1476	Machine#1 (4 pack on can line)
FT-12	104528	2495	Machine#2 (" " " ")
FT-12	104529	2496	Machine#3 (" " " ")
FT-12	103692	1477	Machine#4 (" " " ")
CI-2C	00350	3473	Upstairs dd Line
Peco	600088218	5454	Locked in basement
CI-2C	00376	3725	Locked in basement
CI-2C	00286	3053	Locked in basement
FT-12/FTM-C	80069	4386	Locked in basement
TN	0103		Brew House

Mr. Tobin told the NRC inspector that he was in the process of selling the fill lines. The inspector informed Mr. Tobin that only authorized (licensed) individuals could remove the gauges from the fill lines. Mr. Tobin discussed the problem with his management and decided to have R. M. Wester & Assoc. remove and dispose of these gauges. This work would be done after the 2002 Thanksgiving holiday. The NRC inspector requested a copy of the disposal paperwork to close NRC files.

The Gopher State Ethanol Corporation, which shares the facility with Minnesota Brewing, has indicated that they may want the Texas Nuclear Gauge. The NRC informed Gopher State that the Texas Nuclear representative has to be contacted, inspect the gauge, wipe test the gauge and make any transfers from the Minnesota Brewing Corporation. Minnesota Brewing cannot simply give Gopher State the gauge. (A general licensee cannot transfer a gauge to another general licensee.)

The NRC inspector reviewed the security of the facility and determined that the gauges were secure where they were located. There were guards on duty during the day, and the doors were locked at night.

The representative from R. M. Wester & Assoc. was scheduled to dismantle the gauges and dispose of them December 3 or 4, 2002. The inspector requested a copy of the disposal information so that this general license file can be closed for the eleven gauges.

As to the status of the Gopher State Ethanol Cs-137 gauge, the inspector requested to be kept informed of the Texas Nuclear representative's activities and the reassignment to Gopher State. Because no specific license was involved, and the general licensee was in bankruptcy and was transferring the gauges, no report was issued to a licensee.

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