

INSPECTION RECORD

Region III **Inspection Report No.** 030-32860/08-01(DNMS)
License No. 14-25212-01 **Docket No.** 030-32860

Licensee (Name and Address):

L. W. Matteson, Inc.
#1 South Point
P. O. Box 667
Burlington, Iowa 52601-0667

Licensee Contact: Jon Nieman **Telephone No.** 319-750-1039

Priority: 5 **Program Code:** 3120

Date of Last Inspection: 10/8/03
Date of This Inspection: November 17 and 19, 2008

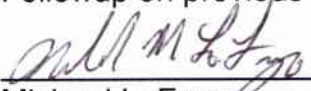
Type of Inspection: Initial Announced Unannounced
 Routine Special

Next Inspection Date: 11/13 Normal Reduced
Justification for reducing the routine inspection interval:

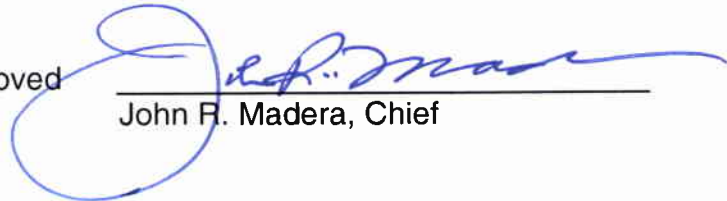
NA

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
- Followup on previous violations

Inspector(s) 
Michael LaFranzo

Date 12/07/08

Approved 
John F. Madera, Chief

Date 12/9/08

PART I-LICENSE, INSPECTION, INCIDENT/EVENT, AND ENFORCEMENT HISTORY

1. AMENDMENTS AND PROGRAM CHANGES:

Amendment No. Date Subject

None

2. INSPECTION AND ENFORCEMENT HISTORY:

The last inspection did not identify any violations of NRC requirements.

3. INCIDENT/EVENT HISTORY:

(List any incidents, or events reported to NRC since the last inspection. Citing "None" indicates that regional event logs, event files, and the licensing file have no evidence of any incidents or events since the last inspection.)

None

PART II - INSPECTION DOCUMENTATION

1. ORGANIZATION AND SCOPE OF PROGRAM:

The licensee possesses three Texas Nuclear Model 5203 gauges containing a nominal 1000 millicuries of cesium-137. The licensee has a radiation safety officer and several individuals that are authorized to use the gauges. The gauges (flow measurement) are used on barges which dredge waterways for a variety of reasons. On a dredging site, the gauges are used 24 hours a day, 7 days a week. At the time of the inspection, the licensee had dredging stations at Emergent Sandbar Habitat Lewis & Clark Lake near Yankton, South Dakota, on the Mississippi River near Wabasha, Minnesota and on the Mississippi River near Phillip, Mississippi. The operators that use the gauge have access to the radiation safety officer and other managers of the facility at all times.

During the inspection, the inspector visited the Emergent Sandbar Habitat Lewis & Clark Lake near Yankton, South Dakota site on November 19, 2008.

2. SCOPE OF INSPECTION:

Inspection Procedure(s) Used: 87124

Focus Areas Evaluated: 03.01-03.07

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

The inspector performed radiation measurements of the gauge on the barge at the Emergent Sandbar Habitat Lewis & Clark Lake near Yankton, South Dakota. The inspector did not identify any abnormal radiation levels.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

Based on the results of the inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation concerns the failure to conduct leak tests of devices containing radioactive material every three years. Specifically as of November 17, 2008, the licensee could not provide evidence to the inspector that leak tests had been performed on the device containing radioactive material, used at the field site near Yankton, South Dakota, within three years. The licensee explained that several changes in the licensee's management structure were the cause of the oversight to perform the leak tests as required. The radiation safety officer had deferred performance of leak tests to an Engineering Manager. However, the manager was not aware that such leak tests were required. The Engineering Manager took the position in 2004. The licensee attempted to identify if leak tests had been performed on the gauge prior to 2004; The gauges are used for flow measurements for dredging operations. However, no records were found by the licensee staff. The violation is being cited in the Notice because it was identified by the NRC.

5. **PARTIAL LIST OF PERSONNEL CONTACTED:**

- #* L. Matteson – President/Radiation Safety Officer
- #* Jon Nieman – Engineering Manager

Use the following identification symbols:

- # Individual(s) present at entrance meeting
- * Individual(s) present at exit meeting

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