



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

April 3, 2009

Mr. Mark M. Ficek, President
Mattingly Testing Services, Inc.
12555 West Andrews Lane
Molt, Montana 59057

SUBJECT: APPROVAL OF INDEPENDENT CONSULTANT AS PER CONFIRMATORY
ORDER EA-08-271

Dear Mr. Ficek:

This is in reference to the requirements of Confirmatory Order EA-08-271 (Order), in which you were required to hire an independent consultant to evaluate the effectiveness of your radiation safety and compliance programs, as well as provide radiation safety training to the radiographers and assistant radiographers employed by Mattingly Testing Services, Inc. (MTS).

On February 18, 2009, MTS submitted a request for approval to hire Mr. Richard L. Rehm as an independent consultant to perform the functions listed above, and required by Sections 1 and 2 of the Order. Additionally, the qualifications of Mr. Rehm to act as a radiography consultant were provided to the NRC in this approval request.

The NRC has reviewed the qualifications of Mr. Rehm to act as an independent consultant for MTS, and to provide radiation safety training to radiographers and assistant radiographers of MTS. The NRC acknowledges that Mr. Rehm has had previous experience and qualification as a certified radiographer in the United States Navy, and has successfully completed a radiation safety officer course in the Navy as well. The NRC also acknowledges that Mr. Rehm served as the Command Assistant Radiation Safety Officer and Senior Radiographer onboard USS Emory S. Land (AS-39). Based on the qualifications and experience described above, Mr. Rehm is hereby approved to perform the duties of independent consultant for MTS, as required by Sections 1 and 2 of the Order. MTS shall assure that the requirements of the Order, with respect to the consultants duties, are carried out as stipulated in the Order.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Arthur T. Howell III, Director
Division of Nuclear Materials Safety

Mattingly Testing Services, Inc.

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Docket No.: 030-20836

License No.: 25-21479-01

cc:

Montana Radiation Control Program Director

cc w/enclosure
ECollins
ATHowell
CLCain
VHCampbell
JEWhitten
NMSB-A
RIV Materials Docket File (5th Floor)

SUNSI review completed: ADAMS: Yes Initials: JLT

Publicly Available Non-Sensitive

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JLThompson	VHCampbell	ATHowell
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