

Charlie Crist  
Governor



Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General

Control Number: INS-10-1230-474

July 20, 2010

Jim B. Patrick  
Radiation Safety Officer  
MIKON CORPORATION  
4414 B South 40th Street  
St Joseph, MO 64503

RE: United States Nuclear Regulatory  
Commission Radioactive Materials  
License Number 24-24954

Dear Mr. Patrick:

On July 10, 2010, a member of our staff performed a reciprocity inspection of the activities conducted under the above referenced radioactive materials license. Pursuant to paragraph 64E-5.216(1)(c), Florida Administrative Code (F.A.C.), under reciprocal recognition, out of state licensees must also comply with state of Florida regulations. The inspection was of the activities at Stanton Energy Center, 5100 South Alafaya Trail, Orlando, Florida. This inspection revealed the following apparent violation of the state of Florida's "Control of Radiation Hazard Regulations," Chapter 64E-5, Florida Administrative Code (F.A.C.), and the terms and conditions of your radioactive materials license:

Subsection 64E-5.1502(2), F.A.C., requires that each licensee who transports radioactive material outside the confines of his facility or other place of use, or who offers radioactive material to a carrier for transport, comply with applicable requirements of the U.S. Department of Transportation, as prescribed in Title 49, Code of Federal Regulations (CFR).

49 CFR subsection 172.600(c) states that no person to whom this subpart applies may offer for transportation, accept for transportation, transfer, store or otherwise handle during transportation a hazardous material unless: (*partial excerpt*)

- (1) Emergency response information conforming to this subpart is immediately available for use at all times the hazardous material is present.

49 CFR subsection 172.602(a) states that the term "emergency response information" means information that can be used in the mitigation of an incident involving hazardous materials and, as a minimum, must contain the following information:

- (1) The basic description and technical name of the hazardous material as required by Sec. Sec. 172.202 and 172.203(k), the ICAO Technical Instructions, the IMDG Code, or the TDG Regulations, as appropriate (IBR, see Sec. 171.7 of this subchapter);
- (2) Immediate hazards to health;
- (3) Risks of fire or explosion;
- (4) Immediate precautions to be taken in the event of an accident or incident;

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- (5) Immediate methods for handling fires;
- (6) Initial methods for handling spills or leaks in the absence of fire; and
- (7) Preliminary first aid measures.

During our inspection, it was determined that emergency response information conforming to the description above did not accompany the radioactive material during transportation.

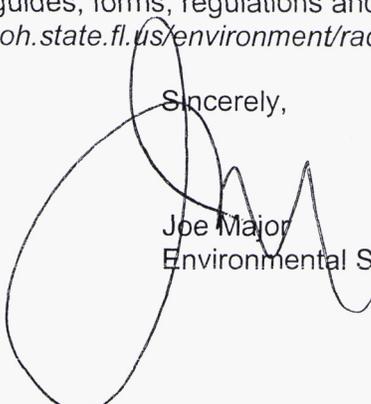
You are required to submit to this bureau, within 30 days of the date of this letter, a written reply to the alleged violation cited above. Your response must address at least the following:

1. Admission or denial of the alleged violation;
2. Reasons for the violation if admitted, and if denied the reasons why;
3. Corrective steps that have been taken and the results achieved, where applicable;
4. Corrective steps that will be taken to avoid further violations; and
5. The date when full compliance with Chapter 64E-5, F.A.C., and your license will be achieved.

In accordance with subsection 64E-5.901(4), F.A.C., you are required to post this document within five working days after receipt. In addition, you are required to post your reply within five working days after dispatch. Such documents shall remain posted for a minimum of five working days or until actions correcting the violation have been completed, whichever is later.

To identify your reply, be sure to include the license number 24-24954 and the control number INS-10-1230-474. Please call us at (850) 245-4545 if you have any questions. Additional bureau resources including regulatory guides, forms, regulations and information notices may be accessed on our Web site at [www.doh.state.fl.us/environment/radiation](http://www.doh.state.fl.us/environment/radiation).

Sincerely,



Joe Major  
Environmental Specialist

cc: Orlando Field Office

Patricia Pelke, Chief  
Materials Licensing Branch  
U.S. NRC Region III  
2443 Warrenville Road  
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