



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, ILLINOIS 60532-4352

May 17, 2019

Mrs. Janice Artinger, President  
Mid-America Calibrations  
808 S.W. Nautica Court  
Lee's Summit, MO 64082

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03036634/2019001(DNMS) AND  
NOTICE OF VIOLATION – MID-AMERICA CALIBRATIONS

Dear Mrs. Artinger:

On April 16, 2019, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection at your Lee's Summit, Missouri, facility with continued in-office review through May 3, 2019. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The in-office review included a preliminary review of your license amendment submittal. Mr. Kevin Null of my staff conducted a final exit meeting by telephone with you on May 3, 2019, to discuss the inspection findings. This letter presents the results of the inspection.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. The violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations concerned the licensee's failure to: (1) have the individual named on the license serve as the radiation safety officer (RSO), as required by License Condition (LC) 12.B of NRC License Number 24-32531-01; and (2) conduct a leak test of the sealed source in the J.L. Shepard instrument calibrator, as required by LC 13.A. The violations are cited in the enclosed Notice of Violation (Notice). The NRC is citing the violations in the enclosed Notice because the inspector identified them.

The inspector determined that the root cause of both violations was licensee oversight. As corrective actions to restore compliance and to prevent recurrence, on May 1, 2019, you submitted a request to amend your license to name a new RSO, and on April 16, 2019, you conducted a leak test of the instrument calibrator. The result indicated the source was not leaking.

Based on an initial review of the new RSO's qualifications, including his experience as an authorized user, the NRC concluded that the individual was qualified to serve as RSO. The NRC did not identify any issues of radiological or programmatic significance that resulted from not having the RSO listed on the license perform the duties and responsibilities of RSO since

June 20, 2018. The duties and responsibilities of RSO were being performed by a qualified individual, despite the licensee's not requesting an amendment to the license.

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in this letter. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with Title 10 of the *Code of Federal Regulations* (CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

Please feel free to contact Mr. Null if you have any questions regarding this inspection. Mr. Null can be reached at 630-829-9854.

Sincerely,

*/RA/*

Aaron T. McCraw, Chief  
Materials Inspection Branch  
Division of Nuclear Materials Safety

Docket No. 030-36634  
License No. 24-32531-01

Enclosure:  
Notice of Violation

cc w/encl: State of Missouri

Letter to Janice Artinger from Aaron McCraw, dated May 17, 2019.

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03036634/2019001(DNMS) AND  
NOTICE OF VIOLATION – MID-AMERICA CALIBRATIONS

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OFFICE	RIII-DNMS	C	RIII-DNMS	C				
NAME	KNull:ps (via email)		AMcCraw					
DATE	5/15/2019		5/17/2019					

**OFFICIAL RECORD COPY**

## NOTICE OF VIOLATION

Mid-America Calibrations  
Lee's Summit, Missouri

License No. 24-32531-01  
Docket No. 030-36634

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on April 16, 2019, with continued in-office review through May 3, 2019, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

1. License Condition Number 12.B. of Amendment Number 02 to NRC License Number 24-32531-01 named an individual as the Radiation Safety Officer (RSO) for this license.

Contrary to the above, as of June 20, 2018, the licensee failed to have the named individual on the license perform the duties and responsibilities of the RSO. Specifically, the RSO listed on the license was no longer performing the duties of the RSO, and the license was not amended to name the new individual acting as RSO.

This is a Severity Level IV violation (Section 6.3).

2. License Condition Number 13.A. of Amendment Number 02 to NRC License Number 24-32531-01 requires, in part, that sealed sources be tested for leakage and/or contamination at intervals not to exceed 6 months.

Contrary to the above, the licensee failed to test a 1.2-curie sealed cesium-137 source between July 1, 2018, and April 16, 2019, an interval that exceeded 6 months.

This is a Severity Level IV violation (Section 6.3).

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance was achieved, is already adequately addressed on the docket in this letter transmitting this Notice of Violation (Notice). However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, IR 03036634/2019001(DNMS)" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not

Enclosure

include any personal privacy, proprietary, or safeguards information so that it can be made publicly available.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 17<sup>th</sup> day of May 2019.