UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

January 26, 2020

EA-19-142
NRC Event 54354

Mr. Jeff McCormick
Schmucker, Paul, Nohr & Associates, Inc.
dba Helms & Associates
2100 North Sanborn Boulevard
Mitchell, SD 57301

SUBJECT: SCHMUCKER, PAUL, NOHR & ASSOCIATES - NRC INSPECTION REPORT 030-34421/2019-002, NOTICE OF VIOLATION AND EXERCISE OF ENFORCEMENT DISCRETION

Dear Mr. McCormick:

This letter refers to the announced reactive inspection conducted on November 19, 2019, at your facility in Mitchell, South Dakota, with in-office review through December 18, 2019. The purpose of the inspection was to review the circumstances surrounding the event on October 26, 2019 (NRC Event No. 54354), in which a portable nuclear gauge was damaged by construction equipment. Within this review, the inspector examined the facts and circumstances of the event, determined a timeline associated with the event, and assessed your response to the event. These reviews included a selected examination of procedures and representative records and interviews with personnel. The preliminary inspection findings were discussed with you at the conclusion of the onsite portion of the inspection on November 19, 2019. A final telephonic exit briefing was conducted with you and Mr. Brandon Smid, Radiation Safety Officer, on January 10, 2020.

Based on the results of this inspection, the NRC determined that a violation occurred concerning the failure to maintain constant control and surveillance of licensed material, specifically a portable nuclear density gauge, while not in storage, as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Section 20.1802.

In accordance with the Enforcement Policy, this violation would normally be categorized at Severity Level III and considered for escalated enforcement action. However, in accordance with NRC Enforcement Guidance Memorandum (EGM) 18-002, issued August 1, 2018 (NRC's Agencywide Documents Access and Management System (ADAMS) Accession Number ML18170A167), the NRC is exercising enforcement discretion to categorize this violation as a Severity Level IV violation because (1) the failure to maintain control and constant surveillance of the portable gauge occurred during operational conditions; (2) the failure to maintain control and constant surveillance of the portable gauge was an isolated, non-willful occurrence and the non-compliance was of short duration and circumstance and did not cause a security access concern; and (3) no unauthorized individual contact with the portable gauge occurred and no unintended exposure occurred.

The current NRC Enforcement Policy can be found at the NRC's Web site at http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html. The violation is cited and described in the enclosed Notice of Violation (Notice). The NRC is citing the violation in the enclosed Notice because the violation was identified during the inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful in preparing your response. You can find the Information Notice on the NRC website at: http://www.nrc.gov/docs/ML0612/ML061240509.pdf. Information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be (was) achieved should be addressed. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosures, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's ADAMS, accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

Should you have any questions regarding this letter or the enclosures, please contact Mr. Jason vonEhr of my staff at 817-200-1186, or the undersigned at 817-200-1455.

Sincerely,

/RA/

Patricia A. Silva, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket: 030-34421
License: 40-27560-01

Enclosures:
1. Notice of Violation (Notice)
2. NRC Inspection Report 030-34421/2019-002

cc w/enclosures:
John Priest
South Dakota Department of Health

NOTICE OF VIOLATION

Schmucker, Paul, Nohr & Associates, Inc.
Chubbuck, ID

Docket No. 030-34421
License No. 40-27560-01
EA-19-142

During an NRC inspection conducted on November 19, 2019, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

> 10 CFR 20.1802 requires the licensee to control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.
>
> Contrary to the above, on October 26, 2019, the licensee failed to control and maintain constant surveillance of licensed material that was in a controlled or unrestricted area and that was not in storage. Specifically, a portable gauge in use at a temporary job site was not under the control and constant surveillance of the licensee and was damaged as a result.

This is a Severity Level IV violation (EGM 18-002)

Pursuant to the provisions of 10 CFR 2.201, Schmucker, Paul, Nohr & Associates, Inc., is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region IV, 1600 E. Lamar Blvd., Arlington, Texas 76011, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation; EA-19-142" and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved.

Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued requiring information as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

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, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html. To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction.

If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your

response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with 10 CFR 19.11, you may be required to post this Notice within 2 working days of receipt.

Dated this 26th of January 2020

**U.S. NUCLEAR REGULATORY COMMISSION**
**REGION IV**

| | |
|---|---|
| Docket: | 030-34421 |
| License: | 40-27560-01 |
| Report: | 2019-002 |
| EA No.: | 19-142 |
| Licensee: | Schmucker, Paul, Nohr & Associates, Inc. |
| Location Inspected: | 2100 North Sanborn Boulevard,<br>Mitchell, South Dakota |
| Inspection Date: | November 19, 2019, with in-office review through<br>December 18, 2019 |
| Exit Meeting: | January 10, 2020 |
| Inspector: | Jason vonEhr, Health Physicist<br>Materials Inspection Branch<br>Division of Nuclear Materials Safety |
| Approved By: | Patricia A. Silva, Chief<br>Materials Inspection Branch<br>Division of Nuclear Materials Safety |
| Attachment: | Supplemental Inspection Information |

## EXECUTIVE SUMMARY

### Schmucker, Paul, Nohr & Associates, Inc.
### NRC Inspection Report 030-34421/2019-002

This was an announced reactive inspection of Schmucker, Paul, Nohr & Associates, Inc. The purpose of the inspection was to review the circumstances surrounding the event on October 26, 2019 (U.S. Nuclear Regulatory Commission (NRC) Event Number 54354), in which a portable nuclear gauge was damaged by construction equipment. Within this review, the inspector examined the facts and circumstances of the event, determined a timeline associated with the event, and assessed the licensee's response to the event. These reviews included a selected examination of procedures and representative records and interviews with personnel.

Program Overview

Schmucker, Paul, Nohr & Associates, Inc. was authorized under NRC Materials License Number 40-27560-01 to possess and use byproduct materials, including cesium-137 and americium-241, for use in portable nuclear gauges to measure physical properties of materials. Licensed activities were authorized to be performed at the licensee's Mitchell and Aberdeen, South Dakota, facilities, as well as at temporary job sites in areas of NRC jurisdiction. (Section 1)

Inspection Findings

The inspector identified a Severity Level IV violation of NRC requirements, in accordance with the NRC Enforcement Policy and Enforcement Guidance Memorandum 18-002 "Interim Guidance for Dispositioning Violations for Failure to Control and Maintain Constant Surveillance for Portable Gauges." The violation involved the licensee's failure to maintain control and constant surveillance of licensed material that was in a controlled or unrestricted area and that was not in storage. (Section 2)

Corrective Actions

During the event, the licensee provided an adequate response. The licensee's response included restricting access to the affected area and assessing the potential for radiological contamination on the individuals and equipment involved, radiation levels, and physical damage to the portable gauge. After determining that it was safe to do so, the licensee transported the damaged portable gauge to their local field office in preparation to return it to the manufacturer for a more thorough assessment. The licensee stated in their 30-day report for the event that they would be re-evaluating and revising their emergency procedures in light of lessons learned from the experience of the event. (Section 4)

## REPORT DETAILS

### 1. Program Overview (Inspection Procedure 87103)

1.1. Program Scope

Schmucker, Paul, Nohr & Associates, Inc. was authorized under U.S. Nuclear Regulatory Commission (NRC) Materials License Number 40-27560-01 to possess and use byproduct materials, including cesium-137 and americium-241, for use in portable nuclear gauges to measure physical properties of materials. Licensed activities were authorized to be performed at the licensee's Mitchell and Aberdeen, South Dakota, facilities, as well as at temporary job sites in areas of NRC jurisdiction.

On August 1, 2019, the NRC had conducted an unannounced temporary job site inspection of two portable gauge users at a construction site in Mitchell, South Dakota, as well as follow-up at the Mitchell field office with no violations identified (NRC's Agencywide Documents Access and Management System (ADAMS) Accession Number ML19276F260).

1.2. Inspection Scope

On November 19, 2019, the NRC performed an announced reactive inspection of Schmucker, Paul, Nohr & Associates, Inc. at its facility in Mitchell, South Dakota, with in-office reviews through December 18, 2019. The purpose of the inspection was to review the circumstances surrounding the event on October 26, 2019 (NRC Event Number 54354), in which a portable nuclear gauge was damaged by construction equipment.

Within this review, the inspector examined the facts and circumstances of the event, determined a timeline associated with the event, and assessed the licensee's response to the event. These reviews included a selected examination of procedures and representative records and interviews with personnel.

### 2. Observations and Findings

2.1. Background on Portable Gauge User and Supervisor

The two individuals involved in the event and the response to it will be referred to as the portable gauge user and the supervisor. Both individuals were qualified under NRC regulations and license conditions to use and transport portable nuclear gauges. The portable gauge user successfully completed a combined Portable Nuclear Gauge Safety and U.S. DOT Hazmat Certification Class on May 17, 2019. The supervisor completed a Portable Nuclear Gauge Safety course on May 12, 2014, Annual Refresher Training for Portable Nuclear Gauges on May 9, 2018, and May 21, 2019, and a Radiation Safety Officer Class on March 29, 2019. The inspector noted that annual refresher training regarding the safe use of portable gauges was above and beyond NRC requirements.

## 2.2. Timeline of NRC Event Number 54354

The timeline of the event involving the damaged portable gauge began the morning of Saturday, October 26, 2019, in Mitchell, South Dakota, on South Main Street between West Havens Avenue and West Elm Avenue. The gauge user was performing a series of seven density tests using a Troxler Model 3430 portable nuclear gauge, Serial Number 73136. The Troxler Model 3430 contained an 8 millicurie (0.3 GBq) cesium-137 source (Serial Number 77-16116) within an extendable source rod for density measurements, and a 40 millicurie (1.48 GBq) americium-241/beryllium source (Serial Number 78-11409) fixed in the bottom of the portable gauge body for moisture measurements. An image of the job site, as it appeared on Google Earth, and points of interest from the event timeline are provided below for reference.


Figure 1 – Google Earth image showing the approximate locations involved during the gauge event. The north-south road is South Main Street, with West Havens Avenue running east-west to the South, and West Elm Avenue running east-west to the North. The labeled locations are: (1) the location of the gauge when damaged; (2) the location of the gauge user when the gauge was damaged; (3) the location of most ancillary personnel and construction equipment; and (4) the location of the supervisor's truck and where the gauge body was provided with a field repair.

The gauge user had begun their fourth density test at approximately the location labeled as (1) in Figure 1. While this test was ongoing, the gauge user moved to roughly the middle of the road (labeled (2) in Figure 1) to begin preparing the ground for the fifth density test, which involved creating a hole of sufficient depth and width to allow the cesium-137 source rod free-movement into the roadbed. While this was occurring, the gauge user stated that most of the construction equipment and personnel were approximately half a block to the north at the intersection of South Main Street and West Elm Avenue, labeled in Figure 1 as location (3).

At approximately 8:56 a.m., local time, on October 26, 2019, the gauge user heard the sharp cracking sound of the portable gauge as it was run over by a wheeled skid-steer. The skid-steer had traversed down to the location of the gauge to begin moving a pile of material northward, and in its first trip backed over the portable gauge.

Figure 2 – The damaged Troxler Model 3430, S/N 73136. Visible in the picture are the boundaries put up by the gauge user following the damaging of the gauge and the skid-steer tire tracks. The gray and angled portion of the gauge is the index rod, and the cesium-137 source rod is the vertical portion beneath the index rod, with the bottom portion within the shielded block.

The gauge user noted that the cesium-137 source rod, which had been extended for the density test, was flush to the ground (not extended). As best can be determined, the skid-steer, in running over the portable gauge, had caused part of the gauge to lift sufficient to raise the cesium-137 source rod above the ground level, and when the skid-steer moved off the gauge the gauge returned to level ground, which caused the cesium-137 source rod to retract to a flush position to the ground.

2.3. Licensee's Response to the Event

The gauge user erected a boundary tape (visible in Figure 2) at approximately fifteen feet from the portable gauge in all directions and contacted the office supervisor, in accordance to the licensee's emergency procedures. The supervisor called the radiation safety officer for the NRC license on the way to the incident, and arrived on the scene of the event at approximately 9:40 a.m.

The supervisor placed phone calls to the manufacturer, Troxler Electronic Laboratories, the NRC Emergency Headquarter Operations Officer, the Mitchell Public Safety Office, the Davison County Emergency Management Office, and informed each of the situation. The city and county offices did not express any need to dispatch personnel for an onsite response. The licensee supervisor acquired a calibrated survey meter (Ludlum Model 14-C, Serial Number 260821, with a Model 44-9 probe,) from a local hospital (Avera Queen of Peace, NRC license 40-15633-01), during which time the gauge user maintained control and constant surveillance over the damaged portable gauge.

With the survey meter, the supervisor assessed the radiation levels in the area where the portable gauge was damaged and of the portable gauge itself, and compared them to the Troxler User Manual radiation levels (See the Troxler Model 3430 User Manual, Edition 8.1, December 2006, Appendix A "Radiological Information", Page A-9, Table A-1 "Radiation Profile for Model 3430 Gauge"). The user recorded the radiation levels around the gauge and on-contact with the gauge, and determined them to be in the normal range anticipated for an undamaged gauge. With negligible radiation levels on and around the skid-steer, the gauge user, and the ground around the gauge, the supervisor assessed that the gauge's shielding and source were intact.

The supervisor approached the damaged portable gauge with the survey meter and tilted the gauge to assess the damage to the underside of the gauge. The supervisor observed that the sliding block, a spring-loaded shield that lessens the radiation levels out the bottom of the portable gauge (see Figure 3), had not returned to the closed and shielded position. On the gauge's return to the ground, the cesium-137 source rod slipped out the top of the gauge body while being held by the supervisor by the opposite end as the cesium source.

The supervisor put the cesium source rod on the ground (within the cordoned off area) and moved the remaining gauge body to the supervisor's pickup truck, which was located approximately at the location labeled as (4) in Figure 1. At this time, the gauge user and supervisor agreed that no personnel or equipment was trafficking the area around the damaged gauge.

The supervisor, in accordance with the Troxler User Manual, removed the screws that secure the bottom plate to the gauge body and pulled the plate away from the sliding block (see Figure 3 below). The supervisor observed that, with the plate removed, the

sliding block immediately returned to the closed and shielded position. The supervisor used a power saw to remove the non-radioactive index rod (shown above in Figure 2), with the goal of allowing the gauge body to fit within the transportation case. Satisfied with the field repair, the supervisor returned and secured the bottom plate to the gauge body and brought the gauge body back to the cordoned off area.

Figure 3 – The bottom of the Troxler Model 3430, with the bottom plate removed to show the sliding block. In this figure, the sliding block is in the fully closed and shielded position.

The supervisor then took the cesium-137 source rod, by the non-source end, and slid the source rod back through the top of the gauge body into the shielded position. The supervisor then used adhesive tape to secure the cesium source rod to prevent free-movement and placed the gauge within the transportation case. Secured within the transportation case, the supervisor took additional radiation surveys on-contact with the transportation case's surface and at one meter to establish the radiation levels were at or below those provided in the Troxler User Manual, Appendix A, and thus adequate for transportation back to the licensee's Mitchell, South Dakota office.

At the licensee's office, the licensee conducted a wipe test on October 28, 2019, to verify the lack of removable contamination from the cesium-137 and americium-241 sources. The wipe test was analyzed by the manufacturer, Troxler, on October 31, 2019, who verified the removable contamination levels were below minimal detectable activities (MDA). The MDA recorded by Troxler for the instrument used was 0.35 Becquerel for cesium-137, and 1.3 Becquerel for americium-241, well below the NRC's regulatory requirement of 185 Becquerel.

Following the verification of the lack of contamination, the licensee again conducted radiation surveys of the gauge within the transportation case to verify radiation levels and shipped the gauge to Troxler on November 5, 2019, for evaluation on whether a repair could be conducted by the manufacturer or if a replacement would be necessary.

The supervisor's dosimetry was sent out for processing, and for the monitoring period (September 20 through November 19, 2019) had 34 mrem. The dosimetry vendor did *not* subtract the licensee's control badge with this assessment, and noted the average customer control badge dose was approximately 17 mrem per monitoring period. Similarly, the gauge user's dosimetry was also sent in for processing. The gauge user's radiation exposure was recorded as 23 mrem for the same monitoring period. Based on the interviews and chronology, the gauge user was not expected to have received more than minor radiation exposure as a result of their involvement in the event. The inspector determined the radiation exposure of the supervisor to be minimal as a result of the individual's limited time handling the material, and the limited radiation levels being emitted by the source.

2.4. Regulatory Response Requirements

Regulatory Issue Summary (RIS) 2005-06, titled "Reporting Requirements for Gauges Damaged At Temporary Job Sites" provides guidance to licensees on the applicability of some of the reporting requirements that may be applicable during an event as described in Section 2.2 and 2.3. The RIS provides three conditions that, if any one of them are met, would require notification to the NRC. These conditions include the extent of damage to the gauge, the radiation levels coming from the gauge, or the exposures resulting from the damage to the gauge.

Initially, the supervisor on-site assessed the damage to the gauge and, conservatively, provided notification to the NRC (received at 11:29 a.m. Eastern Standard Time on October 26, 2019). If the conditions merited reporting under 10 CFR 30.50(b)(2) for damage to the gauge, the licensee would have 24 hours to provide a telephone notification to the NRC. Notwithstanding the conditions, the licensee's notification was provided within approximately 1.5 hours of the initial event. RIS 2005-06 states that a damaged gauge would be reportable under the 'damaged' condition if: "the protective housing (i.e., shielding) is damaged such that the source is not fully shielded, or cannot be moved into the shielded position…" While there was a period of time, described above in Section 2.3, when the cesium source rod was completely unshielded, the licensee was able to return the cesium source rod to a shielded position after a brief period of time. Therefore, the reporting under 10 CFR 30.50(b)(2) was not required.

The inspector further noted the lack of significant radiation levels from the gauge and the lack of significant radiation exposures resulting from the event (reportability under 10 CFR 20.2202, or 20.2203), which in combination with the damage to the gauge appearing to be less than that described by RIS 2005-06, removes the remaining avenues requiring reporting to the NRC.

In addition, having made the notification described in 10 CFR 30.50(b)(2), the licensee also provided a 30-day written report on November 22, 2019 (ADAMS Accession Number ML19340A037), in accordance with 10 CFR 30.50(c)(2). Therefore, with respect to the regulatory requirements applicable to the response and notifications following the event, no violations of NRC requirements were identified.

2.5. Violation of 10 CFR 20.1802

The inspector determined that the gauge user's actions in leaving the gauge unattended during its density measurement in order to prepare the roadbed for the next

measurement was inconsistent with the regulatory requirement for the security of NRC-licensed materials. This action lead directly to the damage of the portable gauge. The violation is described below.

> 10 CFR 20.1802 requires the licensee to control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.
>
> Contrary to the above, on October 26, 2019, the licensee failed to control and maintain constant surveillance of licensed material that was in a controlled or unrestricted area and that was not in storage. Specifically, a portable gauge in use at a temporary job site was not under the control and constant surveillance of the licensee and was damaged as a result.

The NRC Enforcement Policy provides a Severity Level III violation for violations of this requirement. However, the NRC issued Enforcement Guidance Memorandum (EGM) 18-002, titled "*Interim Guidance For Dispositioning Violations For Failure To Control And Maintain Constant Surveillance For Portable Gauges*," on August 1, 2018 (ADAMS Accession ML18170A167). This EGM provides for the use of enforcement discretion in certain instances of lapses of portable gauge security during operations.

This EGM provides that violations can be assessed a SLIV violation if three conditions are met. These conditions include:

A. The failure to maintain control and constant surveillance of the portable gauge occurred during operational conditions;
B. The failure to maintain control and constant surveillance of the portable gauge was an isolated, non-willful occurrence and the non-compliance was of short duration and circumstance (e.g., gauge use in a remote location, or, if in high traffic location with construction barrier or fencing impeding the access of the general public) and did not cause a security access concern; and
C. No unauthorized individual contact with the portable gauge occurred and no unintended exposure to an individual occurred (e.g., physical damage to the portable gauge may have occurred but there was no contamination or source(s) leakage and the licensee is able to retract the source(s) into a shielded position).

The NRC concluded that: (A) the failure to secure the portable gauge was during operational conditions; (B) the failure was isolated, not associated with willfulness, and provided only very limited opportunities for non-licensee employees to potentially remove the portable gauge; and (C) non-licensee employees did not contact the gauge nor was there damage to the sources such that leakage or contamination were determined to be a concern, and the sources were able to be shielded following brief and routine repairs in the field.

Therefore, the inspection concluded that EGM 18-002 was applicable and could be issued as a Severity Level IV violation of 10 CFR 20.1802 (030-34421/2019-002-01), using enforcement discretion.

## 3. Conclusions

The inspector reviewed the facts and circumstances associated with NRC Event Number 54354. A violation of 10 CFR 20.1802 was identified during the inspection and is described in the attached Notice of Violation (Enclosure 1). In accordance with the Enforcement Policy, this violation would normally be categorized at Severity Level III and considered for escalated action. However, in accordance with NRC EGM 18-002, the NRC is exercising enforcement discretion to categorize this violation as a Severity Level IV violation.

The licensee conducted an adequate response to the event by assessing the radiation hazards to personnel and members of the public and transporting the damaged portable gauge back to its Mitchell, South Dakota office for leak testing before shipment to the manufacturer for further evaluation.

## 4. Corrective Actions

During the inspection, licensee personnel described and provided a written timeline and summary of their response to the event. The licensee's response included restricting access to the affected area and assessing the potential for radiological contamination on the individuals and equipment involved, radiation levels, and physical damage to the portable gauge. After determining that it was safe to do so, the licensee transported the damaged portable gauge to their local field office in preparation to return it to the manufacturer for a more thorough assessment. The licensee stated in their 30-day report for the event that they would be re-evaluating and revising their emergency procedures in light of lessons learned from the event.

## 5. Exit Meeting Summary

The inspector presented the preliminary inspection findings at the end of the on-site inspection on November 19, 2019, with the radiation safety officer, Mr. Brandon Smid, and principle, Mr. Jeff McCormick. On January 10, 2020, a final telephonic exit meeting was conducted with Mr. Jeff McCormick, a management representative with the licensee, and Mr. Brandon Smid, the Radiation Safety Officer. The licensee acknowledged the findings and did not dispute any of the details presented during the exit call.

## SUPPLEMENTAL INSPECTION INFORMATION

### PARTIAL LIST OF PERSONS CONTACTED

Jeff McCormick, Principle
Brandon Smid, Radiation Safety Officer
Jacob Sonne, Mitchell Gauge Supervisor
Nicholas Zolnowsky, Gauge User

### INSPECTION PROCEDURES USED

87103 Inspection of Material Licensees Involved in an Incident or Bankruptcy Filing

### ITEMS OPENED, CLOSED, AND DISCUSSED

Opened

| | | |
|---|---|---|
| 030-34421/2019-002-01 | VIO | Failure to secure byproduct material that is not in storage. (10 CFR 20.1802) |

Closed

None

Discussed

None

### LIST OF ACRONYMS AND ABBREVIATIONS USED

| | |
|---|---|
| ADAMS | Agencywide Documents Access and Management System |
| CFR | *Code of Federal Regulations* |
| EGM | Enforcement Guidance Memorandum |
| MDA | Minimum Detectable Activity |
| NRC | Nuclear Regulatory Commission |
| RSO | Radiation Safety Officer |
| VIO | Violation |