



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

February 18, 2022

Mr. Adam Brooks
Radiation Safety Officer
IDEKER, Inc.
P.O. Box 7140
St. Joseph, MO 64507

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03035163/2021001(DNMS) AND
NOTICE OF VIOLATION – IDEKER, INC.

Dear Mr. Brooks:

On December 14, 2021, two inspectors from the U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection at your facility in St. Joseph, Missouri, with continued in-office review through January 25, 2022. 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 review of gauge leak test data not available at the time of the inspection. Mr. Luis Nieves of my staff conducted a final exit meeting by telephone with you on January 25, 2022, 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) perform leak tests of the sealed sources in its portable gauges within the intervals specified in the certificate of registration for the gauges, as required by License Condition 13.A of the NRC license and (2) periodically (at least annually) review the radiation protection program content and implementation, as required by Title 10 of the *Code of Federal Regulations* (CFR) Paragraph 20.1101(c). 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 inspectors determined that the root cause of the violations was licensee oversight. As corrective actions to restore compliance and to prevent recurrence, the licensee performed leak tests of all of its gauges on December 27, 2021, and identified no detectable contamination. For long-term corrective actions and to prevent the re-occurrence of a similar issue, the licensee will be utilizing an electronic calendar to remind staff when leak tests and annual program audits are due.

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 will be 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 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and any response you provide 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, any 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. Nieves of my staff if you have any questions regarding this inspection. Mr. Nieves can be reached at 630-829-9571.

Sincerely,

 Signed by Kunowski, Michael
on 02/18/22

Michael Kunowski, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-35163
License No. 24-32199-01

Enclosure: Notice of Violation

cc w/encl: State of Missouri

Letter to Adam Brooks from Michael Kunowski date, February 18, 2022.

SUBJECT: NRC INSPECTION REPORT NO. 03035163/2021001(DNMS) - IDEKER, INC.

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OFFICE	RIII-DNMS		RIII-DNMS		RIII-EICS		RIII	
NAME	LNieves		MKunowski		EICS		Division Director	
DATE	2/17/2022		2/17/22					

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

IDEKER, Inc.
St. Joseph, MO

License No. 24-32199-01
Docket No. 030-35163

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on December 14, 2021, with continued in-office review through January 25, 2022, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. Condition 13.A of NRC Materials License 24-32199-01 states that sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by NRC under Title 10 of the *Code of Federal Regulations* (CFR), Section 32.210 or by an Agreement State.

Certificate of registration NC-646-D-130-S for Troxler Model 3400 Series gauges and certificate of registration NC-356-D-101-S for Humboldt Model 5001 gauges specify that sealed sources in those gauges be tested for leakage and/or contamination at intervals not to exceed 12 months.

Contrary to the above, from April 7, 2020, to December 27, 2021, the licensee failed to test sealed sources for leakage and/or contamination at intervals not to exceed 12 months, as specified in certificates of registration NC-646-D-130-S, NC-646-D-131-S, and NC-356-D-101-S. Specifically, the licensee previously leak tested on April 7, 2020, two Troxler Model 3400 portable gauges (SN:25806 and 79628) each containing a sealed source of cesium-137 (nominal activity of 9 millicuries) and a sealed source of americium-241 (nominal activity of 44 millicuries) and two Humboldt Model 5001 portable gauges (SN:3747 and 4007) each containing a sealed source of cesium-137 (nominal activity of 11 millicuries) and a sealed source of americium-241 (nominal activity of 44 millicuries) and as of December 27, 2021, the licensee had not tested the sources for leakage and/or contamination, an interval in excess of 12 months.

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

- B. 10 CFR 20.1101(c) states that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, the licensee did not periodically (at least annually) review the radiation protection program content and implementation. Specifically, no review was conducted for the year 2020.

This is a Severity Level IV violation (Enforcement Policy 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. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the

Enclosure

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 03035163/2021001(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 choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or from 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>. Therefore, to the extent possible, the response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

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.

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

Dated this 18th day of February 2022.