



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

March 24, 2022

EA-22-017
EN 55344
NMED 210291 (closed)

Mr. Chris Smith
Vice President, Corporate Compliance
Mistras Group, Inc.
161 Tower Drive, Suite E
Burr Ridge, IL 60527

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03035114/2021002 (DNMS) AND
NOTICE OF VIOLATION – MISTRAS GROUP

Dear Mr. Smith:

On August 16-17, 2021, an inspector from the U.S. Nuclear Regulatory Commission (NRC) performed a routine inspection of your radiation safety program, with continued in-office review through March 3, 2022. The purpose of this inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The inspector met with your Corporate Radiation Safety Officer at your facility in Longmont, Colorado, to review the oversight of your program as implemented in NRC jurisdiction and accompanied your staff at a temporary job site in Cheyenne, Wyoming, in part to review the circumstances surrounding a source disconnect reported to the NRC on July 8, 2021. The in-office review included an assessment of inspection findings and corrective actions. Ryan Craffey of my staff conducted a final exit meeting by telephone with Mr. Matthew Kim of your staff on March 15, 2022, to discuss the inspection findings. This letter and its enclosure present 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 NRC'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 involved (1) a failure to follow operating and emergency procedures as required by Condition 16.A of NRC License No. 12-16559-02, and (2) a failure to ensure that the equipment was in good working condition as required by Title 10 of the *Code of Federal Regulations* (10 CFR) 34.31(a). The violations are cited in the enclosed Notice of Violation (Notice). The NRC is citing the violations in the enclosed Notice because they were revealed through an event.

The root cause of the violation of License Condition 16.A was a lack of understanding of emergency procedures; specifically, the degree to which radiographers were limited in operating radiography equipment when the source did not lock in the fully shielded position. As corrective action, your Corporate Radiation Safety Officer (RSO) sent a Radiation Safety Memo on the incident to all site RSOs, instructing them to review the incident with their personnel and remind them of your program's expectations regarding the operation of radiographic equipment in abnormal circumstances.

The NRC has concluded that information regarding the reason for this violation, the corrective actions taken and planned to correct the violation 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 violation 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.

With regard to the violation of 10 CFR 34.31(a), 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 useful in preparing your response. You can find the Information Notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with the NRC's "Rules of Practice" in 10 CFR 2.390, of 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 Ryan Craffey of my staff if you have any questions regarding this inspection. Mr. Craffey can be reached at 630-829-9655.

Sincerely,

 Signed by Kunowski, Michael
on 03/24/22

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

Docket No. 030-35114
License No. 12-16559-02

Enclosure: Notice of Violation

cc w/encl: Matt Kim, Corporate Radiation Safety Officer
State of Wyoming
State of Colorado

Letter to Chris Smith from Michael Kunowski dated, March 24, 2022.

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DISTRIBUTION w/encl:

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OFFICE	RIII-DNMS		RIII-EICS		RIII-DNMS		
NAME	RCraffey		SLewman		MKunowski		
DATE	03/23/22		03/23/22		03/24/22		

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Mistras Group, Inc.
Burr Ridge, IL

License No. 12-16559-02
Docket No. 030-35114
EA-22-017

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on August 16-17, 2021, with continued in-office review through March 3, 2022, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. Condition 16.A of NRC Materials License No. 12-16559-02, Amendment No. 41, states, in part, that Mistras Group, Inc. shall conduct its program in accordance with the statements, representations, and procedures contained in its letter dated May 9, 2019.

Section 21.2.d.4 of Attachment H to the letter dated May 9, 2019, instructs radiography personnel, in the event that a source cannot be returned to a radiographic exposure device, to contact the nearest Radiation Safety Manager or Supervisor immediately and to not attempt any type of source retrieval until they have been instructed to do so by authorized radiation safety personnel.

Contrary to the above, on July 7, 2021, Mistras Group, Inc. did not conduct its program in accordance with the procedures in Attachment H to the letter dated May 9, 2019. Specifically, licensee radiography personnel working at a temporary job site in Cheyenne, Wyoming, encountered difficulty locking a source containing 41.6 curies of iridium-192 in the shielded position in a radiographic exposure device. They contacted the nearest Radiation Safety Manager but thereafter closed the outlet port cover of the device and removed the guide tube without having been instructed to do so by authorized radiation safety personnel.

This is a Severity Level IV violation (Enforcement Policy Section 6.3.d.3).

- B. 10 CFR 34.31(a) requires, in part, that the licensee perform visual and operability checks on survey meters, radiographic exposure devices, transport and storage containers, associated equipment, and source changers before use on each day the equipment is to be used to ensure that the equipment is in good working condition, that the sources are adequately shielded, and that required labeling is present.

Contrary to the above, on July 7, 2021, Mistras Group, Inc. radiography personnel failed to perform visual and operability checks of their radiographic exposure device to ensure that the equipment was in good working condition. Specifically, the radiography personnel used a drive cable that was not in good working condition, as it was found to be corroded and embrittled after failing and causing a source to disconnect at a temporary job site in Cheyenne, Wyoming.

This is a Severity Level IV violation (Enforcement Policy Section 6.3.d.3).

Pursuant to the provisions of CFR 2.201, Mistras Group, 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 III, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This

Enclosure

reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for violation B, or, if contested, the basis for disputing this violation or its severity level, (2) the corrective steps that have been taken for violation B and the results achieved, (3) the corrective steps that will be taken for violation B, and (4) the date when full compliance with 10 CFR 34.31(a) will be achieved. Your response may reference or include previously docketed correspondence if it 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 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.

The NRC has concluded that information regarding the reason for violation A, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved, is already adequately addressed on the docket in the 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," 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.

Your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy, proprietary, security-related 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 24th day of March 2022.