



Materials Inspection Report

1. Licensee/Location Inspected: Mathis & Associates 114 N. Broadway Poplar Bluff, MO 63901 Report Number(s) 2022001	2. NRC/Regional Office Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352
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3. Docket Number(s) 030-31408	4. License Number(s) 24-26087-01	5. Date(s) of Inspection 5/17/22 through 8/24/22
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LICENSEE:
 The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

1. Based on the inspection findings, no violations were identified.

2. Previous violation(s) closed.

3. During this inspection, certain of your activities, as described below and/or attached, were in violation of NRC requirements, and were assessed at Severity Level IV, in accordance with the NRC Enforcement Policy.

A. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy were satisfied.
 (Non-cited violation(s) was/were discussed involving the following requirement(s))

B. The following violation(s) is/are being cited in accordance with NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.
 (Violations and Corrective Actions)
 10 CFR 30.36(d)(3) requires, in part, that licensees, within 60 days of the occurrence of no principal activities having been conducted for a period of 24 months, provide notification to the NRC in writing of such occurrence. Contrary to this, as of May 17, 2022, the licensee had not provided notification to the NRC that it had not conducted principal activities since November 2019, a period greater than 24 months and 60 days.

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Statement of Corrective Actions

I hereby state that, within 30 days, the actions described by me to the Inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

TITLE	PRINTED NAME	SIGNATURE AND DATE
LICENSEE'S REPRESENTATIVE	Todd Sittig	09-09-22
NRC INSPECTOR	Jason Draper, Health Physicist	Jason D. Draper <small>Digitally signed by Jason D. Draper Date: 2022.08.24 15:01:47 -05'00'</small>
BRANCH CHIEF	Michael A. Kunowski	Michael A. Kunowski <small>Digitally signed by Michael A. Kunowski Date: 2022.08.29 08:14:22 -05'00'</small>

Materials Inspection Report (Continued)

As corrective action, on August 10, 2022, the licensee submitted a letter to the NRC providing notification that the licensee had decided to cease principal activities and dispose of the gauge. The licensee also stated that it planned to transfer the gauge to a gauge manufacturer upon confirmation of a satisfactory leak test.



Materials Inspection Record

1. Licensee Name: Mathis & Associates		2. Docket Number(s): 030-31408		3. License Number(s) 24-26087-01	
4. Report Number(s): 2022001			5. Date(s) of Inspection: May 17, 2022, with in-office review through August 24, 2022		
6. Inspector(s): Jason Draper		7. Program Code(s): 03121	8. Priority: 5	9. Inspection Guidance Used: IP 87139	
10. Licensee Contact Name(s): Todd Sittig, Project Engineer		11. Licensee E-mail Address: mathiseng@tcmx.net		12. Licensee Telephone Number(s): 573-785-4202	
13. Inspection Type: <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Non-Routine		14. Locations Inspected: <input checked="" type="checkbox"/> Main Office <input type="checkbox"/> Temporary Job Site		15. Next Inspection Date (MM/DD/YYYY): 05/17/2027	
<input type="checkbox"/> Initial <input checked="" type="checkbox"/> Unannounced		<input type="checkbox"/> Field Office <input type="checkbox"/> Remote		<input checked="" type="checkbox"/> Normal <input type="checkbox"/> Reduced <input type="checkbox"/> Extended <input type="checkbox"/> No change	

16. Scope and Observations:

This was an unannounced routine inspection of a small surveying and engineering company authorized to possess and use one CPN International Model MC-2 PORTAPROBE portable moisture density gauge at its facility in Poplar Bluff, MO, and at temporary job sites anywhere in NRC jurisdiction. The licensee possessed one gauge containing Cs-137 and Am-241 sources. At the time of the inspection the licensee did not employ any gauge users, though the RSO was trained and qualified. The licensee last used the gauge in November 2019 and was in the process of identifying a licensee to transfer the gauge to in order to facilitate requesting termination of the license. The inspector discussed the requirements of 10 CFR 30.36(d) with the licensee.

During the inspection, the inspector toured the licensee's facility to ensure the gauge was secured appropriately. The inspector also performed independent surveys of the storage area and verified the presence of appropriate postings. The inspector also interviewed the project engineer with regard to training, occupational dose, and the licensee's progress toward terminating its license. The inspector also reviewed a selection of records including leak test records, utilization logs, and the licensee's documentation demonstrating that unmonitored individuals were not likely to receive a radiation dose in excess of the limits in 10 CFR 20.1502(a).

Because the licensee had not performed principal activities for a period of 24 months, they were required to provide notification to the NRC in writing of such occurrence within 60 days, but the licensee had not done this. This is a violation of 10 CFR 30.36(d)(3). As corrective action, on August 10, 2022, the licensee submitted a letter to the NRC providing notification that the licensee had decided to cease principal activities and dispose of the gauge. The licensee also stated that it planned to transfer the gauge to a licensed gauge manufacturer upon confirmation of a satisfactory leak test.

In Inspection Report 2016-001, the licensee was issued a Notice of Violation for the failure to provide training to its hazmat employees that satisfied the requirements in Subpart H to 49 CFR 172. During this inspection the inspector verified through interviews with the project engineer and a review of training records, that the gauge users had since received the required hazmat training and had maintained it within three years of when they had transported the gauge. This violation is closed.

One Severity Level IV violation of NRC requirements was identified as a result of this inspection.