

NRC FORM 591M  
(04-2022)



U.S. NUCLEAR REGULATORY COMMISSION

**Materials Inspection Report**

**1. Licensee/Location Inspected:**

CHS, Inc.  
803 Highway 212 South  
Laurel, MT 59044

Report Number(s) 2023-001

**2. NRC/Regional Office**

Region IV  
U. S. Nuclear Regulatory Commission  
1600 E. Lamar Boulevard  
Arlington, TX 76011-4511

**3. Docket Number(s)**

030-19130

**4. License Number(s)**

25-14757-01

**5. Date(s) of Inspection**

5/4/2023, 6/5/2023

**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)  
See Continuation Page.

**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	Jacob Haan - RSO	 RSO, 6-5-2023
NRC INSPECTOR	Leonardo Wardrobe	Leonardo F. Wardrobe <small>Digitally signed by Leonardo F. Wardrobe Date: 2023.06.05 11:08:50 -05'00'</small>
BRANCH CHIEF	Lizette Roldán-Otero, PhD	Lizette Roldan-Otero <small>Digitally signed by Lizette Roldan-Otero Date: 2023.06.18 07:09:22 -05'00'</small>

Add Continuation Page

### Materials Inspection Report (Continued)

A. 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 failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, the licensee failed to review (at least annually) the radiation protection program content and implementation for calendar year 2021 and 2022.

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

The licensee performed an annual program review on May 4, 2023 and stated that annual program review will tracked with their maintenance scheduling software to prevent recurrence.

B. License Condition 13A of Nuclear Regulatory License 25-14757-01 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 the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State. In the absence of a registration certificate, sealed sources shall be tested for leakage and/or contamination at intervals not to exceed 6 months, or at such other intervals as specified.

Contrary to the above, the licensee failed to test sealed sources for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State. Specifically, the licensee performed leak tests on sealed sources on February 22, 2019 and then performed leak tests on those sealed sources on September 9, 2022, a time period greater that 36 months, as dictated on the Sealed Source & Device registry OH-0522-D-906-B.

This is a Severity Level IV violation (Enforcement Policy 6.7.d)

The licensee performed leak checks of the fixed gauges on September 9, 2022 and stated that the they will enter into their maintenance scheduling software the leak check requirements to prevent recurrence.