



## Materials Inspection Report

<b>1. Licensee/Location Inspected:</b> Seiler Instrument & Manufacturing Company, Inc.  3433 Tree Court Industrial Blvd., St. Louis, MO 63122  <b>Report Number(s)</b> 2023001	<b>2. NRC/Regional Office</b>  Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352
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<b>3. Docket Number(s)</b> 030-28598	<b>4. License Number(s)</b> 24-24451-01	<b>5. Date(s) of Inspection</b> August 16, 2023
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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)

Contrary to 10 CFR 71.5(a) and 49 CFR 172.704(c), the licensee failed to provide recurrent DOT hazmat training at least once every three years for licensee staff who satisfied the requirements of Subpart H to 49 CFR Part 172. Specifically, the last documented date the staff received the training was April 23, 2012; a period exceeding three years.

The root cause of this violation was that the licensee was not familiar with the requirements. As corrective action, the licensee ensured that the staff will complete the DOT hazmat training by September 14-15, 2023.

### 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		
NRC INSPECTOR	Zahid Sulaiman, Health Physicist	Zahid M. Sulaiman <small>Digitally signed by Zahid M. Sulaiman Date: 2023.08.31 10:46:05 -05'00'</small>
BRANCH CHIEF	Rhex Edwards, Chief, MIB	 <small>Digitally signed by Rhex A. Edwards Date: 2023.09.17 15:13:44 -05'00'</small>



**Materials Inspection Record**

1. Licensee Name: Seiler Instrument & Manufacturing Inc.		2. Docket Number(s): 030-28598		3. License Number(s) 24-24451-01	
4. Report Number(s): 2023001			5. Date(s) of Inspection: August 16, 2023 with in-office through 8/25/2023		
6. Inspector(s): Zahid Sulaiman, Health Physicist		7. Program Code(s): 03214	8. Priority: 5	9. Inspection Guidance Used: 87126	
10. Licensee Contact Name(s): Amer Fajic, RSO		11. Licensee E-mail Address: afajic@seilerinst.com		12. Licensee Telephone Number(s): Work: 314-218-6312	

13. Inspection Type: <input type="checkbox"/> Initial		14. Locations Inspected: <input type="checkbox"/> Hybrid		15. Next Inspection Date (MM/DD/YYYY):	
<input checked="" type="checkbox"/> Routine	<input type="checkbox"/> Announced	<input checked="" type="checkbox"/> Main Office	<input type="checkbox"/> Field Office	08/16/2028	
<input type="checkbox"/> Non-Routine	<input checked="" type="checkbox"/> Unannounced	<input type="checkbox"/> Temporary Job Site	<input type="checkbox"/> Remote	<input checked="" type="checkbox"/> Normal	<input type="checkbox"/> Extended
				<input type="checkbox"/> Reduced	<input type="checkbox"/> No change

16. Location(s) Inspected List:  
Main office: 3433 Tree Court Industrial Blvd., St. Louis, MO 63122

17. Scope and Observations:  
This was an unannounced routine inspection of an instrument manufacturing and distribution company authorized for receipt, use, storage, possession, and installation of radio-luminescent tritium (H-3) sealed sources (gas in glass ampules) into optical fire control instruments and/or spare parts at its facility in St. Louis, Missouri. The licensee was authorized for testing of sealed sources and distribution of the optical fire control devices and/or spare parts that are registered pursuant to 10 CFR 32.210 and contained in the U.S. Nuclear Regulatory Commission registry of sealed sources and devices to specifically licensed recipients. The licensee was also authorized for removal of sealed sources (gas in glass ampules) from optical fire control instruments and/or spare parts in preparation for disposal. Although the licensee made and distributed products for geospatial, medical, educational, and other precision applications, the only devices into which licensed material was currently incorporated were a selection of weapon sighting components for military applications. At the time of the inspection, four individuals were authorized to handle licensed material, including the RSO.

**PERFORMANCE OBSERVATIONS**


The inspection consisted of a a tour of the facility (light source room, environmental chamber, painting area, assembly area, and shipping area), review of select records, and independent measurements. At the time of the inspection, the licensee was not performing any work with the licensed material. The inspector had the authorized user discuss and demonstrate: (1) materials inventory system, (2) air monitoring program and air monitor calibrations; (3) package check-in procedures; (4) postings and labeling; (5) contamination surveys and wipe test counting; (6) waste handling; (7) security of licensed material; (8) staff training program; (9) annual radiation safety program audits (4/25/2023); (10) Bioassays program (bi-weekly test for AUs, ARSO, and assembly workers); and (11) DOT procedures and HAZMAT refresher training. The inspector conducted independent surveys and found no residual contamination or exposures to members of the public in excess of regulatory limits. Through these observations and discussions the inspector found that the licensee personnel were knowledgeable of radiation protection principles, licensee procedures, and regulatory requirements.

### Materials Inspection Record (Continued)

The inspector identified a severity level IV violation of 10 CFR 71.5(a) and 49 CFR 172.704(c)(2) for the licensee's failure to ensure all hazmat employees received DOT hazmat refresher training at least once every three years. The last documented date that the staff received the DOT hazmat training was April 23, 2012; a period exceeding three years. As corrective action, the licensee ensured that the staff will complete the training by September 14-15, 2023.

Signature and Date - Branch Chief



 Digitally signed by Rhex A. Edwards  
Date: 2023.09.17 15:13:16 -05'00'