



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

July 8, 2024

Bryan Davis  
Radiation Safety Officer  
Mikon Corporation  
4414B S. 40th St.  
St. Joseph, MO 64503

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03029962/2024001(DRSS) AND  
NOTICE OF VIOLATION – MIKON CORPORATION

Dear Bryan Davis:

This letter refers to the inspection conducted on April 16, 2024, at your St. Joseph, MO, facility, with continued in-office review through June 11, 2024. The purpose of the inspection was to review activities performed under your NRC license to ensure that these activities were being performed in accordance with NRC requirements. The purpose of the in-office review was to evaluate information not available at the time of the on-site inspection. This letter presents the results of the inspection. Luis Nieves of my staff conducted a final exit meeting by telephone with you on June 11, 2024, to discuss the inspection findings.

This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations, and with 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's 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 are cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding them are described in detail in the subject inspection record. The violations are being cited in the enclosed Notice because the inspector identified them.

The NRC has concluded that information regarding (1) the reason for the violations, (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance will be achieved is already adequately addressed on the docket in this letter and in additional correspondence. 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 the NRC's "Agency Rules of Practice and Procedure," in 10 CFR 2.390, a copy of this letter, its enclosures, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC's Public Document Room or from the

B. Davis

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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 or proprietary information so that it can be made publicly available without redaction.

Please feel free to contact Luis Nieves of my staff if you have any questions regarding this inspection. Luis can be reached at 630-829-9571 or [Luis.NievesFolch@nrc.gov](mailto:Luis.NievesFolch@nrc.gov).

Sincerely,



Signed by Edwards, Rhex  
on 07/08/24

Rhex Edwards, Chief  
Materials Inspection Branch  
Division of Radiological Safety and Security

Docket No. 030-29962  
License No. 24-24954-01

Enclosure: Notice of Violation

cc w/encl: State of Missouri

Letter to B. Davis from R. Edwards, dated July 8, 2024.

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03029962/2024001(DRSS) AND  
NOTICE OF VIOLATION – MIKON CORPORATION

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**ADAMS Accession Number: ML24179A079**

OFFICE	RIII-DRSS		RIII-DRSS					
NAME	LNieves:brt		REdwards					
DATE	7/5/24		7/8/24					

**OFFICIAL RECORD COPY**

## NOTICE OF VIOLATION

Mikon Corporation  
St. Joseph, MO

License No. 24-24954-01  
Docket No. 030-29962

During an NRC inspection conducted on April 16, 2024, with continued in-office review through June 11, 2024, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. Title 10 of the *Code of Federal Regulations* (10 CFR) 71.5(a) requires, in part, that each licensee who transports licensed material outside the site of usage, as specified in the NRC license, or where transport is on public highways, or who delivers licensed material to a carrier for transport, shall comply with the applicable requirements of the DOT regulations in 49 CFR parts 107, 171 through 180, and 390 through 397, appropriate to the mode of transport.

Title 49 CFR 173.415(a) requires, in part, that each offeror of a DOT Specification 7A Type A package must maintain on file for at least two years after the offeror's latest shipment, and shall provide on request, documentation of testing, including date, place of test, signature of testers, a detailed description of each test performed including equipment used, and the damage to each item of the containment system resulting from the tests.

Contrary to the above, from 2021 to April 16, 2024, the licensee failed to maintain on file for at least two years after the offeror's latest shipment, and provide on request, documentation of testing, including date, place of test, signature of testers, a detailed description of each test performed including equipment used, and the damage to each item of the containment system resulting from the tests. Specifically, the licensee made their own Type A package in 2021 and did not have the test results when the inspector requested them.

This is a Severity Level IV violation (Section 6.8.d.5).

- B. Condition No. 13.C of Amendment No. 9 of NRC License 24-24954-01, dated January 13, 2023, states, in part, that sealed sources need not be tested if they are in storage and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer.

Contrary to the above, on August 30, 2022, the licensee failed to test their gauges before they were transferred. Specifically, the licensee transferred three model 1351 Troxler gauges with serial numbers 125, 134, and 169 back to Troxler without performing a leak test after they removed them from storage. The gauges were last leak tested on June 28, 2018, and February 13, 2013.

This is a Severity Level IV violation (Section 6.7.d.4).

The NRC has concluded that information regarding the reason for the 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 and the subject Materials Inspection Record. 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

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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 03029962/2024001(DRSS)" 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 8<sup>th</sup> day of July 2024.