

NRC FORM 591M
(04-2022)

U.S. NUCLEAR REGULATORY COMMISSION

Materials Inspection Report**1. Licensee/Location Inspected:**

Kansas City Testing & Engineering, LLC
1141 Southwest Boulevard, Kansas City, KS 66103
and a Temporary Job Site at
101 Street NE and N Lister Avenue, Kansas City, MO

2. NRC/Regional Office

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

Report Number(s) 2024-001

3. Docket Number(s)

030-38242

4. License Number(s)

15-29383-01

5. Date(s) of Inspection

3/12/2024

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))
- 10 CFR 20.1101(c) requires that the licensee shall periodically (at least annually) review the radiation protection program content and implementation. Contrary to this, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. The licensee conducted an audit in June 2021, but didn't perform an audit again until March 2023. This issue was self-identified and self-corrected, the licensee established reminders to review the radiation protection program at least annually.
- 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)
- 1.) 10 CFR 71.5(a) requires, in part, that a licensee who transports licensed material on public highways 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.
- 49 CFR 172.704(c)(2) requires, in part, that a hazmat employee must receive recurrent training required by Subpart H to 49 CFR Part 172 at least once every three years.

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	Andrew Wilson, RSO	<i>Andrew Wilson</i> 6/14/2024
NRC INSPECTOR	J. Dykert for D. Fiedorek and Z. Sulaiman	JASON DYKERT Digitally signed by JASON DYKERT Date: 2024.06.14 09:18:33 -07'00'
BRANCH CHIEF	Lizette Roldán-Otero, PhD Janine F. Katanic, PhD, CHP for	JANINE KATANIC Digitally signed by JANINE KATANIC Date: 2024.07.15 15:19:46 -05'00'

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Materials Inspection Report (Continued)

(continued)

Contrary to the above, from May 5, 2022 through February 28, 2024, the licensee failed to ensure that two hazmat employees received recurrent training required by Subpart H to 49 CFR Part 172 at least once every three years. Specifically, two gauge users transported licensed material on public highways without having recurrent hazmat training: one user's hazmat refresher training expired on May 5, 2022, but they transported licensed material on public highways between November 28, 2023 and December 13, 2023; the second user's hazmat refresher training expired on February 24, 2024, but they licensed material on public highways on February 28, 2024. The licensee immediately provided recurrent hazmat training to the two individuals, and planned to provide recurrent hazmat training annually in-house and creating a computer program that will alert the RSO before additional training is required.

2.) License Condition 19 B of License Number 15-29383-01, Amendment 2, requires, in part, the licensee to conduct its program in accordance with the procedures contained in the license application dated April 30, 2020.

The licensee's Operating, Emergency, and Security Procedures submitted as part of the license application requires, in part, that portable nuclear gauges be signed out in a logbook at the storage location before being removed from the licensee's facility and taken to a temporary job site.

Contrary to the above, on February 12, 2024, the licensee failed to conduct its program in accordance with the procedures contained in the license application dated April 30, 2020. Specifically, the licensee did not sign out a Troxler 3440P gauge in the logbook at the storage location before it was taken to a temporary job site. The licensee provided updated training to employees to fill out the utilization log, and re-posted a new paper log at the storage location.

From: [Jason Dykert](#)
To: [Andrew Wilson](#)
Cc: [Earlon Shirley](#)
Subject: NRC Inspection Report 2024-001
Date: Wednesday, June 5, 2024 11:10:00 AM
Attachments: [IR 030-38242-2024-001; KC Testing and Engineering; 591M, printed.pdf](#)

Good afternoon Mr. Wilson,

As we discussed during the exit meeting today, two cited violations and one non-cited violation are documented in the attached report. Please review the corrective actions to ensure the violations do not recur, and sign and date the report and email it back to me.

After my branch chief signs the report, it will be a publicly available safety record available for review in the NRC's Agencywide Documents Access and Management System ([ADAMS](#)) online database.

Respectfully,

Jason Dykert
Health Physicist
Materials Inspection
U.S. NRC - Region IV
Phone: 817-200-1427