



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2056 WESTINGS AVENUE, SUITE 400
NAPERVILLE, IL 60563-2657

June 9, 2025

EAF-RIII-2025-0003
EN 57168
NMED No. 240200 (Closed)

Alexander Macias
Branch Manager
Snyder and Associates, Inc.
802 Francis Street
St. Joseph, MO 64501-1916

SUBJECT: NOTICE OF VIOLATION, EXERCISE OF DISCRETION, AND PROPOSED
IMPOSITION OF CIVIL PENALTY - \$9,000; NRC NON-ROUTINE INSPECTION
REPORT NO. 03034569/2024001 (DRSS) - SNYDER AND ASSOCIATES, INC.

Dear Alexander Macias:

This letter refers to the U.S. Nuclear Regulatory Commission (NRC) inspection conducted on July 23, 2024, at your facility in Maryville, Missouri, with continued in-office review through March 17, 2025. The purpose of this inspection was to review the circumstances, root and contributing causes, and corrective actions for the vehicle that was stolen while transporting a portable nuclear gauge secured to the bed of the vehicle. During the inspection, an apparent violation of NRC requirements was identified. The circumstances surrounding the apparent violation, the significance of the issue, and the need for lasting and effective corrective actions were discussed with you during a telephone exit meeting on March 17, 2025. Inspection Report No. 03034569/2024001 (DRSS) was issued on April 7, 2025, and can be found in the NRC's Agencywide Documents Access and Management System (ADAMS) at accession number ML25077A172. ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

In our April 7, 2025, letter transmitting the inspection report, we provided you with the opportunity to address the apparent violation identified in the report by either attending a predecisional enforcement conference, by providing a written response, or by attending an Alternative Dispute Resolution (ADR) mediation session before we made our final enforcement decision. In a letter dated April 24, 2025, you provided a written response to the apparent violation (ML25122A148).

Based on the information developed during the inspection and the information provided in your response to the inspection report dated April 24, 2025, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) and the circumstances surrounding it are described in detail in the subject inspection report. The violation involved your failure to control and maintain constant surveillance of a portable moisture density gauge containing licensed material, as required by Title 10 of the *Code of Federal Regulations* (10 CFR) 20.1802.

The failure to maintain control of the portable gauge by leaving the keys in the unattended vehicle is a significant safety and security concern as the failure resulted in the truck and gauge being stolen. While no known exposure occurred, this event could have resulted in unintended exposures to members of the public. The truck with the gauge still secured in it was recovered by the police within four hours of it being stolen. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

In accordance with the NRC Enforcement Policy, a base civil penalty in the amount of \$9,000 is considered for the SL III violation. Because Snyder and Associates, Inc. has not been the subject of any escalated enforcement actions within the last two inspections, the NRC considered whether credit was warranted for corrective action in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. In your response, you identified the following actions to correct and prevent recurrence of the violation identified above: (1) provided a written performance warning to the individual involved with the loss of the gauge; (2) required the individual to retake the Radiation Safety Officer course; (3) revised operating procedures for company vehicles emphasizing gauge safety and security; (4) reminded gauge operators monthly that the gauge must be controlled at all times and not left unattended; and (5) continued to hold quarterly meetings to discuss the issue and reinforce and remind employees of the importance of gauge security. The NRC staff determined that credit for corrective action is warranted.

Although the NRC staff determined that corrective action credit was warranted, the staff noted that in accordance with Section 2.3.4 of the Enforcement Policy, the NRC is exercising discretion to propose imposition of a civil penalty of at least the base amount for the violation involving the loss of radioactive material.

Therefore, to emphasize the importance of maintaining security and control of sealed sources and devices, I have been authorized, after consultation with the Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the base amount of \$9,000 for the SL III violation. In addition, the issuance of this Notice constitutes escalated enforcement action that may subject you to increased inspection effort. The NRC includes significant enforcement actions on its website at <https://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/index.html>.

You may choose to pay the proposed civil penalty in accordance with NUREG/BR-0254 (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0254/index.html>). When using NUREG/BR-0254 to pay the civil penalty, the invoice number should be used as the "enforcement action identifier" when submitting your payment through one of the approved methods listed in the brochure. The NRC may consider a request for additional time to pay the proposed civil penalty, including the option to enter into an installment agreement, if payment of the civil penalty as a lump sum in the required timeframe would pose a financial hardship. To request additional time to pay, you must submit a written request, with appropriate justification explaining your financial hardship, to NRCCollections.Resource@nrc.gov. All requests should be submitted in sufficient time to allow the NRC the ability to review your request for additional time to pay before the 30-day payment period expires.

If you disagree with this enforcement sanction, you may deny the violation, as described in the Notice, or you may request ADR with the NRC in an attempt to resolve this issue. ADR is a general term encompassing various techniques for resolving conflicts using a neutral third party. The technique that the NRC has decided to employ is mediation. Mediation is a voluntary, informal process in which a trained neutral (the “mediator”) works with parties to help them reach resolution. If the parties agree to use ADR, they select a mutually agreeable neutral mediator who has no stake in the outcome and no power to make decisions. Mediation gives parties an opportunity to discuss issues, clear up misunderstandings, be creative, find areas of agreement, and reach a final resolution of the issues. Additional information concerning the NRC's ADR program can be found at <http://www.nrc.gov/about-nrc/regulatory/enforcement/adr.html>. The Institute on Conflict Resolution (ICR) at Cornell University has agreed to facilitate the NRC's program as a neutral third party. If you are interested in pursuing this issue through the ADR program, please contact: (1) the ICR at (877) 733-9415; and (2) Diana Betancourt-Roldan at 630-810-4373 within 10 days of the date of this letter. You may also contact both ICR and Diana Betancourt-Roldan for additional information. Your submitted signed agreement to mediate using the NRC ADR program will stay the 30-day time period for payment of the civil penalties and the required written response, as identified in the enclosed Notice, until the ADR process is completed.

The NRC has concluded that information regarding: (1) the reason for the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance was achieved is already adequately addressed on the docket in Inspection Report No. 03034569/2024001 (DRSS) and your letter dated April 24, 2025. Therefore, you are not required to respond to this letter unless the description therein 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 10 CFR 2.390 of the NRC's “Agency Rules of Practice and Procedure,” a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your 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 have any questions concerning this matter, please contact Diana Betancourt-Roldan, Enforcement and Investigations Officer, at 630-810-4373.

Sincerely,



Signed by Giessner, Jack
on 06/09/25

John B. Giessner
Regional Administrator

Docket No. 030-34569
License No. 24-32019-01

Enclosures:

1. Notice of Violation and Proposed
2. Civil Penalty Invoice No.
EAF-RIII-2025-0003

cc (w/encl): Larry Bradshaw,
Radiation Safety Officer
State of Missouri

Letter to A. Macias from J. Giessner dated June 9, 2025.

SUBJECT: NOTICE OF VIOLATION, EXERCISE OF DISCRETION, AND PROPOSED IMPOSITION OF CIVIL PENALTY - \$9,000; NRC NON-ROUTINE INSPECTION REPORT NO. 03034569/2024001 (DRSS) - SNYDER AND ASSOCIATES, INC.

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OFFICE	RIII-EICS		RIII-DRSS		RIII-DRSS		OE	
NAME	JDraper:bw		REdwards		JHeck for DCurtis		LSreenivas for JPeralta	
DATE	5/23/2025		5/27/2025		5/27/2025		6/2/2025	
OFFICE	OGC for NLO		RIII-EICS		RIII-ORA			
NAME	SRogers		JDraper for DBetancourt-Roldan		JGiessner			
DATE	6/2/2025		6/9/2025		6/9/2025			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Snyder and Associates, Inc.
St. Joseph, Missouri

Docket No. 030-34569
License No. 24-32019-01
EAF-RIII-2025-0003

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on July 23, 2024, with continued in-office review through March 17, 2025, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the *Code of Federal Regulations* (10 CFR) 20.1802 requires that a licensee control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area that is not in storage.

Contrary to the above, on June 10, 2024, the Licensee failed to maintain constant surveillance of licensed material that was in a controlled or unrestricted area and was not in storage. Specifically, an authorized gauge user transporting a portable nuclear gauge containing 8 mCi of cesium-137 and 40 mCi of americium-241 and secured to the bed of a truck left the vehicle unlocked with the keys in the ignition and entered a convenience store. This resulted in the vehicle being stolen by a member of the public, leading to the loss of control of the licensed material.

This is a Severity Level III Violation (NRC Enforcement Policy Section 6.7.c.10).
Civil Penalty - \$9,000 (EAF-RIII-2025-0003)

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 Inspection Report No. 03034569/2024001 (DRSS) and the letter from the Licensee dated April 24, 2025. However, if the description therein does not accurately reflect the Licensee's position or corrective actions, the Licensee is required to submit a written statement or explanation pursuant to 10 CFR 2.201 within 30 days of the date of the letter transmitting this Notice of Violation. In that case, or if the Licensee chooses to respond, the Licensee should clearly mark its response as a Reply to a Notice of Violation, and send it to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S., Nuclear Regulatory Commission, Region III and the Document Control Desk, Washington, DC 20555-0001.

The Licensee may pay the civil penalty proposed above by submitting the payment in accordance with NUREG/BR-0254.

The Licensee may protest the imposition of the civil penalty in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice. Should the Licensee fail to answer within 30 days of the date of this Notice, the NRC will issue an order imposing the civil penalty. Should the Licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in

whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violation listed in this Notice, in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the response should address the factors addressed in Section 2.3.4 of the Enforcement Policy. Any written answer addressing these factors pursuant to 10 CFR 2.205 should be set forth separately from the statement or explanation provided pursuant to 10 CFR 2.201 but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the Licensee is directed at the other provisions of 10 CFR 2.205 regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalty which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205 to be due, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282c.

The responses noted above, i.e., Reply to Notice of Violation, Statement as to payment of civil penalty, and Answer to a Notice of Violation, should be addressed to: David Pelton, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region III and the Document Control Center, Washington, DC 20555-0001.

If the Licensee chooses to respond, its response will be made available electronically for public inspection in the NRC Public Document Room or in ADAMS. To the extent possible, the Licensee's response should not include any personal privacy, proprietary, classified or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then the Licensee must provide a bracketed copy of its response that identifies the information that should be protected and a redacted copy of its response that deletes such information. If the Licensee requests that such material is withheld from public disclosure, the Licensee must specifically identify the portions of its response that it seeks to have withheld and provide in detail the bases for its claim (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with 10 CFR 19.11, the Licensee may be required to post this Notice within two working days of receipt.

Dated this 9th day of June 2025.



Snyder & Associates, Inc.
212 N BUCHANAN ST
MARYVILLE, MO 64468



06/09/2025

Address/Customer Information

Snyder & Associates, Inc.
212 N BUCHANAN ST
MARYVILLE, MO 64468

Customer Codes

Account Code: L00002946/1

Bill Information

Bill Number: EAF-RIII-2025-0003
Amount Due: \$9,000.00
Due Date: 07/09/2025

Contact Us

Phone Number: 301-415-7554
Fax Number: 301-415-4135
Email Address: Fees.Resource@nrc.gov

Remit Payment Online at:

www.pay.gov
(see NUREG/BR-0254,
Payment Methods brochure for
other electronic payment options)

Bill Summary

Initial Charges	\$9,000.00
Discount	0.00
Surcharge	0.00
Interest Charges	0.00
Penalty Charges	0.00
Admin Charges	0.00
Bill Amount	\$9,000.00
Collected	0.00
Applied Credit	0.00
Adjustments	0.00
Amount Due	\$9,000.00

Credit Summary

Applied Credit	\$0.00
Unapplied Credit	0.00
Credit Total	\$0.00

Comments:

For questions, contact the NRC Financial Services and Operations Branch at (301) 415-7554 or by email at Fees.Resource@nrc.gov. For NRC debt collection procedures, including interest and penalty provisions, see 31 U.S.C. 3717, 4 CFR 101-105 and 10 CFR 15.

If this invoice is related to an Order Imposing a Civil Penalty, Snyder and Associates, Inc. is required to pay the Civil Penalty within 30 days of the Order date. If payment is in response to a Notice of Violation and Proposed Imposition of a Civil Penalty, please follow the instructions in the Notice. The NRC may consider a request for additional time to pay the Civil Penalty, including the option to enter into an installment agreement, if appropriate. All requests for additional time to pay an invoice must be submitted in writing, with appropriate justification, to NRCCollections.Resource@nrc.gov, and should be submitted sufficiently ahead of time to allow the NRC time to review the request for additional time to pay within the 30-day payment period. This Invoice is related to the Civil Penalty proposed or imposed under EAF-RIII-2025-0003 issued to Snyder and Associates, Inc. Please include this reference number on your payment method (see attached Payments Methods Brochure).

Please see the NUREG/BR-0254, Payment Methods brochure for instructions on how to make domestic and international payments. EFFECTIVE OCTOBER 1, 2024, THE NRC WILL ONLY ACCEPT ELECTRONIC PAYMENT METHODS. PAPER METHODS OF PAYMENT, INCLUDING CHECKS, WILL NO LONGER BE ACCEPTED. Please refer to the terms and conditions brochure for information on interest, penalties, and administrative fees associated with delinquent payments. Please reference the invoice number on the remittance.

Customer Information

L00002946/1
Snyder & Associates, Inc.
212 N BUCHANAN ST
MARYVILLE, MO 64468

Change of Address:

Phone:

Remit Payment Online at:

www.pay.gov
(see NUREG/BR-0254,
Payment Methods brochure for
other electronic payment options)

This Payment References the following Bill:

EAF-RIII-2025-0003

Outstanding Amount Due: \$9,000.00

Amount Enclosed: