



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC PROPOSES \$1,750 FINE FOR VIRGINIA FIRM FOR NUCLEAR GAUGE VIOLATION

The Nuclear Regulatory Commission staff has proposed a \$1,750 civil penalty for a Springfield, Va.-based company for a violation of agency requirements involving the control and security of a portable nuclear gauge. The device, which contains radioactive material, is used for industrial purposes, such as measuring the density of soil at construction sites.

The violation was identified during an NRC inspection performed at the Manassas Park, Va., office of Construction Testing and Engineering (CTE), Inc., on March 15, 2011. The purpose of the inspection was two-fold: To examine the firm's general licensed activities as they relate to radiation safety and its compliance with NRC regulations; and to review CTE's loss of a portable nuclear gauge from a temporary job site in Washington, D.C., on Oct. 26, 2010. During that event, a CTE technician's vehicle was stolen while it was unattended and the gauge, which was in a locked transport case in the vehicle's trunk, was removed by an individual or individuals who were not authorized to do so. .

Based on the inspection, the NRC staff determined that CTE did not adhere to agency requirements for security of a portable nuclear gauge. CTE employees failed to use a minimum of two independent physical controls to secure the gauge from unauthorized removal whenever the device was not under the control and constant surveillance of company employees. The vehicle's locked trunk served only as a single barrier to prevent unauthorized removal of the gauge, when a minimum of two was required.

The gauge was subsequently found outside of the transport case by a member of the public on Oct. 27, 2010, at a location near where the vehicle had been stolen. CTE retrieved the gauge and verified that the radioactive sources contained inside were in a shielded and locked position, and that the gauge was not damaged or leaking.

“Although the vehicle, rather than the gauge, may have been the target of the theft, not securing the gauge with two independent physical controls made it easier for the gauge to be removed without authorization. In fact, the gauge was removed from its transport case and was

left in a public area, thereby causing the potential for a member of the public to be exposed to radiation or to use the gauge for malevolent purposes,” NRC Region I Administrator Bill Dean wrote in a letter to CTE regarding the enforcement action.

There was no impact on public health and safety as the radioactive sources remained within the appropriate shielding device.

CTE provided the NRC with a written response on June 14, 2011, in which it acknowledged the violation and discussed corrective actions it had undertaken.

The company is required to provide the NRC with a written reply to the enforcement action within 30 days.

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