



NRC NEWS

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NRC BOARD ISSUES ORDER APPROVING SETTLEMENT OF ENFORCEMENT PROCEEDING INVOLVING A THOROFARE, N.J., COMPANY

(CORRECTED TO BETTER REFLECT SETTLEMENT AGREEMENT)

A Thorofare, N.J., firm, Eastern Testing and Inspection Inc. (ETI), has agreed to pay a \$4,500 civil penalty in a settlement reached with the Nuclear Regulatory Commission. The NRC staff in February proposed a fine of \$13,000 and one year suspensions for two officials at ETI. The company appealed the NRC proposed notice of violation, penalties and orders, requiring the creation of an Atomic Safety and Licensing Board Panel. On July 16, the Board accepted a settlement negotiated by the NRC staff and the company in which the two parties agreed to disagree about the violations the NRC staff said occurred.

As a part of the settlement, the company agreed to develop and implement an annual training program that explains specific requirements to employees using licensed materials, and to contract with a consultant to evaluate the effectiveness of the firm's security and radiation safety program prior to taking custody of NRC licensed materials in the future. In addition, the firm agreed it will not possess licensed nuclear materials in New Jersey before Nov. 10, 2009. Company president, Himat Soni, agreed not to work with NRC licensed material before Aug. 10, 2009. The vice president, Dhiraj Soni, has since left the firm and agreed not to work with NRC licensed material for a year.

ETI and its officials made no admissions of guilt as a part of the settlement, beyond agreeing that an unintentional failure to meet a security order requiring coordination with local law enforcement agencies had occurred. An Aug. 4, 2009, press release regarding this matter had indicated that the NRC as an agency had made a final determination that more serious violations had occurred and did not reflect the terms of the settlement. The problems associated with the violations did not involve handling of nuclear materials.

ETI has paid the reduced penalty. The Board order is available in the NRC's Agency-wide Document Access and Management System at www.nrc.gov/reading-rm/adams/web-based.html. The accession number is ML091970597.

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