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NRC PROPOSES \$3,250 CIVIL PENALTY FOR MOUNT LAUREL, N.J., FIRM OVER THEFT OF NUCLEAR GAUGE FROM PENNSYLVANIA SITE

The Nuclear Regulatory Commission staff is proposing a \$3,250 fine for a firm based in Mount Laurel, N.J., for a violation of agency requirements that contributed to a theft of a nuclear gauge in Pennsylvania last year. Owned by TRC Engineers, Inc. (formerly SITE-Blauvelt Engineering, Inc.), the gauge contains radioactive material and is used for such industrial purposes as measuring the density of soil at construction sites.

TRC Engineers notified the NRC that the gauge had been stolen from a storage shed used by the company in Stroudsburg (Monroe County), Pa., either on the night of Aug. 29, 2006 or on the morning of Aug. 30, 2006. In response to the theft, NRC staff performed a special inspection in September 2006 at the company's Mount Laurel office and at the Stroudsburg location. The inspectors determined that there was only one tangible barrier in place to prevent someone from taking the gauge. While the gauge was locked in a portable box, the only barrier preventing its unauthorized removal was a locked toolshed door.

The NRC is citing TRC Engineers for a failure to use a minimum of two independent physical controls to prevent unauthorized removal of a licensed nuclear gauge when the device is not under the direct control and constant surveillance of a company employee(s). "Although the portable gauge was locked in a box inside a locked storage shed providing one barrier, a second independent barrier did not exist in accordance with the regulations," NRC Region I Administrator Samuel J. Collins wrote in a letter to the company regarding the enforcement action.

To date, the gauge has not been recovered. As long as the sources are in the shielded position, the gauge would present no hazard to the public. However, any attempt to tamper with the radioactive sources in the device could subject the person to radiation exposure.

TRC Engineers discussed the violation with NRC staff during a predecisional enforcement conference on Dec. 20, 2006, held in the NRC's Region I Office in King of Prussia, Pa. During that meeting, the company stated that it takes the security of licensed radioactive material and compliance with NRC requirements very seriously. The company also reviewed its efforts to recover the stolen gauge – including notifying authorities and offering a reward -- and described steps it had taken to prevent a recurrence.

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

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