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NRC Issues Order Prohibiting Individual From Participating in NRC-Licensed Activities For a Minimum of Three Years

The Nuclear Regulatory Commission has issued an Order barring a former radiographer from participating in NRC-licensed activities for a minimum of three years for failing to uphold the terms of an Order he agreed to in 2012.

The NRC issued an Order to James Chaisson in 2012, banning him from NRC-licensed work for a minimum of three years after finding he engaged in deliberate misconduct by storing a device using radioactive materials to check pipe welds at a Wyoming facility he knew did not meet NRC security requirements. At the time, Chaisson was working as an area supervisor and lead radiographer for the Wyoming operations of Texas Gamma Ray, LLC.

After issuance of the 2012 Order, Chaisson requested Alternative Dispute Resolution, and following negotiations using an independent mediator, subsequently agreed to the terms of a Confirmatory Order that barred him from participating in NRC-licensed activities for 18 months. That Order also required him to take 80 hours of special training and write an article that addressed the importance of following NRC regulations and the importance of providing full and accurate information to the NRC. Chaisson failed to take the training courses or write the article, as required, by March 10, 2014.

The NRC concluded that Chaisson has not upheld the agreement, made legally binding in the 2012 Confirmatory Order. Patricia K. Holahan, acting director of the NRC's Office of Enforcement, said the NRC has serious concerns regarding Chaisson's willingness to follow NRC requirements.

The new Order supersedes all previous orders to Chaisson. It prohibits Chaisson from engaging in NRC-licensed activities for a minimum of three years beginning Aug. 10, 2014, and will remain in effect until the agency has reasonable assurance that he can safely use radioactive materials in accordance with NRC requirements. It also requires Chaisson to notify the NRC of his involvement in NRC-licensed activities for a period of two years after the NRC notifies him in writing of its reasonable assurance determination.

The Order becomes effective 30 days from issuance to permit Chaisson to request a hearing.