

No. I-16-031

December 15, 2016

CONTACT: Diane Screnci, 610-337-5330
Neil Sheehan, 610-337-5331

NRC Proposes \$14,000 Fine for Virginia Firm for Not Obtaining Approvals to Perform Work

The Nuclear Regulatory Commission has proposed a \$14,000 civil penalty for a Manassas, Va., firm for performing work in the District of Columbia without first obtaining approval from the NRC to do so.

EMSI Engineering Inc. conducted the activities, which involved using portable nuclear gauges to take soil-density measurements at construction sites, on approximately 200 occasions between April 9, 2009, and Nov. 18, 2015.

As an NRC “Agreement State,” Virginia oversees the use of nuclear materials within its borders that would otherwise be regulated by the NRC. Under a reciprocity requirement, if the licensed materials are used in the District of Columbia, approval must first be obtained from the NRC.

In addition, the NRC has concluded that EMSI’s former Radiation Safety Officer/Operations Manager contributed to the violation by acting in careless disregard of agency requirements.

“The failure to file for reciprocity prior to using licensed materials in areas under NRC jurisdiction interfered with the NRC’s ability to inspect EMSI’s activities while in those areas to ensure the adequate protection of public health and the safe use of radioactive materials,” NRC Region I Administrator Dan Dorman wrote in a letter to the company notifying it of the enforcement action.

The NRC gathered information about these activities during an investigation performed by the agency’s Office of Investigations. The NRC notified the company about the apparent violation in a letter issued on Oct. 3. EMSI responded on Oct. 11, acknowledging the violation and describing its plan to address the issue.

Because the violation was determined to be willful, was not identified by EMSI and credit for the firm’s corrective actions was not warranted, the NRC has proposed a civil penalty of \$14,000.

EMSI will have 30 days to provide a written response to the enforcement action, which is to include steps it has taken or plans to take to address the issue.