

United States Nuclear Regulatory Commission
Office of Public Affairs, Region I
475 Allendale Road King of Prussia, PA 19406
Fax: 610/337-5241
Internet: dps@nrc.gov or nas@nrc.gov

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Contact: Diane Screnci (610/337-5330)
Neil A. Sheehan (610/337-5331)

FOR IMMEDIATE RELEASE

**NRC PROPOSES SECOND FINE AGAINST PENNSYLVANIA MAN
FOR POSSESSING NUCLEAR GAUGES WITHOUT LICENSE**

The Nuclear Regulatory Commission has proposed a \$15,000 fine -- \$500 a day for 30 days -- against a Havertown (Delaware County), Pa., man for failing to properly dispose of nuclear gauges in his possession. In addition, the NRC has issued an order to Alfonso DeLeo Jr. imposing an earlier proposed \$5,500 fine for the same violation.

DeLeo was licensed by the NRC to possess and use gauges containing radioactive cesium-137 and americium-241. The devices are used for various industrial and construction purposes. The license was suspended in February 1996 for non-payment of fees. However, an NRC inspection in April of this year disclosed that DeLeo still had the gauges in his possession, despite repeated notices from NRC about the need to dispose of them.

When the NRC proposed the initial \$5,500 fine on June 2, the NRC informed DeLeo he would not have to pay it if he transferred the radioactive devices to an authorized user during a 30-day grace period which ended August 12. But the agency also specified that, if he failed to do so during that time, he would face additional fines of \$500 per day.

Because DeLeo still has the sources in his possession, the NRC is moving to take additional enforcement action. In a letter to DeLeo informing him of the latest action, NRC Region I Administrator Hubert J. Miller said, "Daily civil penalties are justified because you clearly have been, and continue to be, aware that you are in violation of NRC requirements, and yet you have failed to take effective corrective actions."

Before imposing this \$15,000 fine, the NRC also is granting DeLeo a 30-day grace period to transfer the gauges to an authorized user. If he does so, the NRC has informed him, he will not have to pay the latest proposed fine. But if the gauges are still in his possession at the end of that period, the agency will consider additional fines of \$500 per day.

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