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NRC STAFF PROPOSES \$2,500 FINE FOR GAUGE USE BY UNAUTHORIZED
AND UNTRAINED INDIANA DEPARTMENT OF TRANSPORTATION WORKER

The Nuclear Regulatory Commission staff has proposed a \$2,500 fine against the Indiana Department of Transportation for directing a worker to use a moisture-density gauge containing radiation sources without the required training and authorization.

An NRC inspection and an investigation by its Office of Investigation completed in August of this year determined that a worker had used the gauge for a four-month period in 1993 without receiving the required training in radiation protection and use of the gauge. The worker was also given a radiation monitoring device assigned to another employee.

Moisture-density gauges, which contain sealed radiation sources, are used to measure the condition of soil and other materials at road and other construction sites.

The state agency was cited for two violations: the use of the gauge by the worker without the required training and authorization and the use of the radiation monitoring device by a person other than the person it was assigned to.

The violations, which were determined to be deliberate, occurred in the state Department of Transportation's Crawfordsville District.

The NRC inspection and investigation found that a project engineer had directed that an employee use the gauge even though he had not received the necessary training from the Department's Radiation Safety Officer or the device's manufacturer. The project engineer also gave his radiation monitoring device to the worker to record any radiation exposure received by the individual.

"These deliberate violations are of significant regulatory concern because they were caused by a project engineer who holds a supervisory position and who was knowledgeable of the agency's NRC-licensed procedures regarding the use of nuclear gauges,"

said A. Bill Beach, NRC Regional Administrator, in notifying the agency of the proposed fine.

He continued, "While the safety consequence of the violations was somewhat mitigated by the fact that the project engineer did provide some training and a [radiation monitoring] badge to the unauthorized trainee, the violations nonetheless are significant because they resulted, in part, from a lack of management support in providing the necessary resources to conduct licensed activities."

The agency has until November 25 to pay the fine or to protest it. If the fine is protested and subsequently imposed by the NRC staff, the agency may request a hearing.

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A listing of NRC staff meetings with licensees and other organization which are open to the public is available through a computer online system (1-800/952-9676), the Fedworld online system (1-800/303-9672), and the NRC's web site <<http://www.nrc.gov>>. A recorded listing of meetings may be heard by calling 1-800/952-9674.