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**NRC STAFF PROPOSES \$15,000 IN CIVIL
PENALTIES AGAINST COMPANY IN PUERTO RICO**

The Nuclear Regulatory Commission staff has proposed a total of \$15,000 in civil penalties against NDT Services, Inc. (NDTS) of Caguas, Puerto Rico for violations of NRC requirements related to the use of radiography equipment at an oil refinery in September 1993. The NRC staff believes the time elapsed since the incident did not affect or modify the enforcement action.

The violations involved the failure of the company to use people who were trained and qualified as radiographers under its NRC license. This lack of training contributed to a situation in September 1993 where the radioactive source in the radiographic device could not be returned to its shielded position. There was no overexposure, but the refinery had to be evacuated for several hours and the incident raised significant regulatory concerns.

The company's Radiation Safety Officer (RSO) at that time also failed to provide complete and accurate information to the NRC during the course of the inspection. In the letter to the company, NRC official Hugh Thompson writes that "the former RSO provided an NRC inspector with written certification of the qualifications of the two contract radiographers, dated September 3, 1993, which was falsified following the September 4, 1993 event."

The former RSO also told an NRC inspector that he had demonstrated the safe use of the equipment prior to the incident. The NRC also obtained information that the former NDTS president attempted to generate a false training record for the radiographers involved.

Both the former RSO and former president are no longer employed by NDTS and they have received NRC Orders prohibiting them from engaging in NRC-licensed activities for a period of five years. In addition, the company retained an outside firm to audit its radiation safety program after the incident and subsequent inspections have noted significant improvement in regulatory compliance and safety.

The company has 30 days from receipt of the Notice of Violation to either pay the civil penalty or to protest its imposition.

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