

U.S. Nuclear Regulatory Commission
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NRC PROPOSES \$2,750 FINE AGAINST THE TERRACON COMPANIES FOR LAX SECURITY MEASURES

The Nuclear Regulatory Commission staff has proposed a \$2,750 fine against The Terracon Companies, Inc., of Lenexa, Kansas, for failure to keep a portable moisture/density gauge containing radioactive material properly locked away. The gauge was stolen from a pick-up truck parked at a restaurant in Tulsa, Oklahoma.

The theft took place on January 23, and an NRC inspection of the matter was completed February 26. The gauge was recovered intact by the Tulsa Police Department and no one is believed to have been exposed to radiation during the time the gauge was missing.

The NRC has determined that the theft took place because a Terracon technician was negligent in failing to secure a padlock on the shipping case containing the gauge. NRC Regional Administrator Ellis W. Merschoff said in a letter to Terracon President Larry K. Davidson that the penalty is being proposed to emphasize the importance of compliance with requirements that are designed to assure that radioactive material remains in the control of the company, and the need to prevent similar events in the future.

Mr. Merschoff also noted that Terracon has taken prompt corrective actions, which include disciplinary action against the technician and increased training for all personnel on security measures.

The violation has been classified as Severity Level III on the NRC's four-level scale, for which the base civil penalty is \$2,750. Level I violations are the most serious.

Terracon is required to respond in writing to the NRC, documenting the specific actions taken and any additional actions planned to prevent a recurrence of the violations.

The company has 30 days to pay the fine or file a protest. If the protest is denied, the company may request a hearing.

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