



# NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION  
OFFICE OF PUBLIC AFFAIRS, REGION IV

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## **NRC PROPOSES \$6,000 FINE FOR DECISIVE TESTING, INC.**

The U.S. Nuclear Regulatory Commission staff has proposed a fine of \$6,000 against Decisive Testing, Inc., of San Diego, Calif., for failure to notify the NRC and pay fees prior to conducting radiography work on U.S. Naval vessels as required by federal regulations.

Decisive Testing is licensed by the state of California, but radiography work on U.S. Naval vessels falls under the jurisdiction of the NRC. The NRC requires the filing of an advance notice of work involving radiation sources in federal jurisdiction to allow it to perform safety inspections of the planned activities. A fee applies to this situation. At an enforcement conference held January 9, the NRC was told that the assistant Radiation Safety Officer for Decisive Testing intended to notify the NRC and pay the reciprocity fee some time after the work was performed, which is clearly not allowed under NRC rules.

Michael R. May, Decisive Testing's president, informed the NRC that he has taken corrective action to assure that Decisive Testing complies with this notification requirement in the future.

The violation has been categorized at Severity Level III, which carries a civil penalty of \$6,000. The NRC uses a four-level scale to rate the seriousness of violations, with Severity Level I being the most serious.

Decisive Testing is required to respond to the letter and Notice of Violation with actions the company is taking to assure future compliance with regulatory and license requirements. The company has 30 days to pay the fine or protest it. If the protest is denied, the company may request a hearing by the NRC.

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