

December 12, 2002  
EN 02-059

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Individual: Mr. John Todd Bilinsky (IA-02-031)

Subject: ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES  
(IMMEDIATELY EFFECTIVE)

This is to inform the Commission that an Order Prohibiting Involvement in NRC-Licensed Activities will be issued on or about December 12, 2002, to Mr. John Todd Bilinsky. The Order is being issued based on information obtained during an OI investigation which determined that Mr. Bilinsky deliberately acquired and possessed byproduct material in a Troxler Model 3411B moisture density gauge without the knowledge of the owner, NTH Consultants, Ltd.

Mr. Bilinski was terminated from employment by NTH Consultants, Ltd., an NRC licensee, on September 24, 2001. The Licensee determined that the gauge was last used and returned to its storage area on August 31, 2001, based on an entry in the gauge use log. Subsequently, Mr. Bilinsky acquired the gauge, without the licensee's knowledge, prior to being terminated. The Licensee did not learn that the gauge was missing until the gauge could not be located during a routine inventory conducted in October 2001. The licensee recovered the gauge from Mr. Bilinsky on November 2, 2001.

Mailing of Order

December 12, 2002

The Canadian Nuclear Safety Commission in both Ottawa, Ontario and Calgary, Alberta will be notified.

The individual has 20 days from the date of the Orders in which to request a hearing.

Contacts: Sally Merchant, OE, 301-415-2747; James G. Luehman, OE, 301-415-2741

Distribution

OWFN _____	OWFN _____	TWFN _____	Regional Offices
Chairman _____	EDO	OCFO	RI _____ RIV _____
Comm. _____	DEDR	OP CTR	RII _____
Comm. _____	DEDMRS	NMSS	RIII _____
Comm. _____	OE	OCIO	
Comm. _____	OGC	OIG	<b>MAIL</b>
SECY	NRR	RES	<b>PUBLIC</b>
OCA	OI	ACRS	
PA	STP		
IP			

ADAMS ACCESSION NO. ML023460613  
**C:\ORPCheckout\FileNET\ML023460613.wpd**  
OE:ES                      OE:DD  
SMerchant                JLuehman  
12/12/2002                12/12/2002

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION