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NRC PROPOSES \$3,000 FINE AGAINST VA. FIRM OVER TEMPORARY LOSS OF NUCLEAR GAUGE

The Nuclear Regulatory Commission staff has proposed a \$3,000 civil penalty against a Virginia company for a violation of NRC requirements associated with the temporary loss of a portable nuclear gauge. The device, which contains radioactive material, is used for industrial purposes such as measuring soil density.

CTI Consultants, Inc., of Chantilly, Va., reported to the NRC on November 3, 2003, that one of its employees had left the gauge in an unsecured condition in the bed of his pick-up truck that day while driving to a temporary job site in the Chesapeake, Va., area. As the vehicle traveled along a public highway in Virginia, the gauge fell out of the truck. About 15 minutes later, the employee realized it was gone and reported the loss to the firm's Radiation Safety Officer. The NRC and other authorities were subsequently notified. Shortly after the loss was reported, local police found the device and returned it to CTI Consultants.

The gauge, equipped with 11 millicuries of cesium-137 and 40 millicuries of americium-241, was determined to be undamaged. While the radioactive sources remained in the shielded position even after the device fell off the truck and the period it was missing was relatively brief, the NRC is proposing the fine because (1) the failure to control the gauge resulted in the temporary loss of radioactive material; and (2) such sources can result in a substantial unintended dose of radiation to an individual if a source is removed from the shielded position.

On January 9, the NRC offered CTI Consultants the opportunity to request a predecisional enforcement conference to discuss the apparent violation or to respond in writing. In a written response dated February 6, the company stated that it agreed with the apparent violation. It also detailed steps taken to prevent a recurrence.

The company is required to provide the NRC with a written reply to the finalized enforcement action within 30 days.

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