



NRC NEWS

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NRC PROPOSES \$6,000 FINE FOR 21ST CENTURY TECHNOLOGIES

The U.S. Nuclear Regulatory Commission staff has proposed a fine of \$6,000 for 21st Century Technologies, Inc. of Las Vegas, Nevada, for unauthorized distribution of products containing radioactive materials.

In a letter to the company, Bruce S. Mallett, Administrator of the NRC's Region IV Office in Arlington, Texas, said that during an NRC inspection completed in October 2003, the agency identified apparent willful violations involving the distribution of radioactive tritium-bearing gun sights (that glow in the dark) and other radioactive products not authorized by its NRC license.

Company officials met with the NRC staff in January to discuss four apparent violations of NRC requirements. "At the conference, 21st Century representatives denied having willfully committed any violations of NRC requirements," Mr. Mallett said. "While acknowledging that the company may have violated NRC requirements by distributing products that were not authorized by the license, 21st Century attributed this to error, and to misinterpretations or misunderstandings of the license, and committed to developing processes and procedures to assure compliance in the future."

During the conference, 21st Century representatives said its license could be interpreted to authorize distribution of some of the tritium-bearing gun sights that were found in violation. But, Mr. Mallett noted this is not the case, since the company's NRC license authorizes it to distribute only nine different series of gun sights. Attaching a description of other gunsights to its NRC license application, as the company did, "does not make it part of the license," Mr. Mallett said.

“21st Century’s distribution of unapproved products... circumvented the regulatory processes that are designed to assure the acceptability of products distributed to members of the public,” Mr. Mallett said. “The NRC can have confidence in the acceptability of such products only if they are designed, manufactured and distributed in accordance with NRC requirements.”

The NRC has proposed a \$6,000 fine against 21st Century for two violations of NRC requirements. The violations assessed a civil penalty are classified collectively as a Severity Level III problem. The NRC uses a four-level severity scale on which Severity level I is the most serious. Because the company has been the subject of escalated enforcement actions during two prior inspections, the base penalty of \$3,000 has been doubled.

The NRC letter, its enclosures, and the company’s response will be made available to interested members of the public through the agency’s electronic reading room at:

<http://www.nrc.gov/reading-rm/adams.html> . Help in accessing these documents is available from the NRC Public Document Room at (301) 415-4737 or at 1-800-397-4209.

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

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