

Region I NMSS Licensee Event Report

Licensee Foundation Engineering Science Inc
 Event Description Theft + Recovery of Nuclear Gauge

License # 45-25374-01 Docket # 03034284 MLER-RI 2004-~~03~~
 Event Date 10-18-04 Report Date 11-8-04 062

1. REPORTING REQUIREMENT

<input checked="" type="checkbox"/>	10 CFR 20.2201 Theft or Loss	<input type="checkbox"/>	10 CFR 35.33 Misadministration
<input type="checkbox"/>	10 CFR 20.2203 30 Day Report	<input type="checkbox"/>	License Condition
<input type="checkbox"/>	10 CFR 30.50 Report		
<input type="checkbox"/>	Other _____		

2. REGION I RESPONSE

<input type="checkbox"/>	Immediate Site Inspection	Inspector/Date	
<input checked="" type="checkbox"/>	Special Inspection	Inspector/Date	<u>J. SCHMIDT / 11-18-04</u>
<input type="checkbox"/>	Telephone Inquiry	Inspector/Date	
<input type="checkbox"/>	Preliminary Report	<input type="checkbox"/>	Daily Report
<input checked="" type="checkbox"/>	Information Entered in RI Log	<input type="checkbox"/>	Review at next inspection
<input type="checkbox"/>	Report referred to: _____		

3. REPORT EVALUATION

<input checked="" type="checkbox"/>	Description of Event	<input checked="" type="checkbox"/>	Corrective Actions
<input checked="" type="checkbox"/>	Levels of RAM Involved	<input checked="" type="checkbox"/>	Calculations Adequate
<input type="checkbox"/>	Cause of Event	<input type="checkbox"/>	Additional Information Requested from Licensee

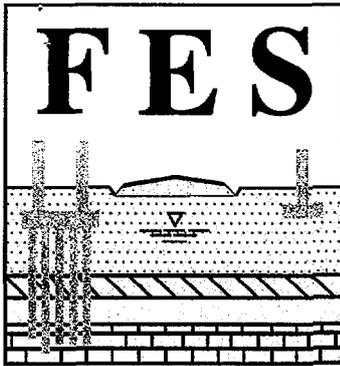
4. SPECIAL INSTRUCTIONS OR COMMENTS

AN INSPECTION WAS CONDUCTED POST EVENT. PREVIOUS COMMUNICATIONS WITH PAWN SHOP EMPLOYEE SUPPORT DETERMINATION THAT MEMBER OF PUBLIC DOSE MINIMAL.

Public J Schmidt / 11/22/04 Non-Public

Completed by:	<u>J Schmidt</u> <u>J.W. SCHMIDT</u>	<u>11/22/04</u>	Date	<u>11/22/04</u>
Reviewed by:	<u>[Signature]</u>	<u>11/22/04</u>	Date	<u>11/22/04</u>

FOUNDATION ENGINEERING SCIENCE, INC.



- Drilling Services [Geotechnical & Environmental]
- Geotechnical Engineering [Shallow & Deep Foundations, Retaining Walls & Pavement Design]
- Structural & Civil Engineering
- Environmental Services [Phase I & II Audits]
- Materials Testing & Inspection Services [Quality Control & Quality Assurance]
- Foundation/Structure & Pavement Distress Evaluations
- Value Engineering During Design & Construction
- Design & Build Segmental Retaining Walls [SRW]

November 8, 2004

Administrator
U. S. Nuclear Regulatory Commission, Region 1
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

Re: **Recovered Nuclear Gauge**
Foundation Engineering Science, Inc.
Newport News, Virginia

04 NOV 12 PM 2:40

RECEIVED
REGION 1

Dear Sir or Madam:

On October 25, 2004, an employee of FES reported to the secretary that his gauge is being used by another employee. The secretary asked Mr. Ralph Black why is he using the other employee's Nuclear Gauge. Mr. Black informed her that his gauge was sent for repair. The secretary informed Mr. Zulfikhar Ahmed of the situation. Mr. Ahmed did not believe Mr. Black regarding the Nuclear gauge being in repair [since all the Nuclear Gauges have just returned from repair and calibration] and asked me to get involved.

I brought all parties involved with the Nuclear gauge and asked them all to tell me their story. After hearing all the stories, I realized that Mr. Ralph Black was not telling the truth. Mr. Ralph Black then confessed that his Nuclear Gauge was stolen from in front of Wal-Mart on October 18, 2004. I asked him why he did not tell anybody; he said that he told Mr. Zulfikhar Ahmed, Mr. Ahmed denied that Mr. Black called him. Mr. Black was not telling the truth. Mr. Black then told me that he reported the incident to the police and the Norfolk police took a police report.

1. Material in the Nuclear Gauge, Gauge Serial Number 29129
Cs-137, 0.3 Gbq (8mCi) Source Serial Number: 750-3483
Am-241:Be, 1.48 Gbq (40mCi) Source Serial Number: 47-26159
Radioactive Yellow II Label, TI = 0.5
2. Gauge was stolen from employee Mr. Ralph Black while he parked at Wal-Mart to shop. The thieves were caught on Wal-Mart Camera.
3. The Nuclear Gauge was recovered approximately October 29, 2004 am.

4. Based on conversations with the clerk at the Pawn Shop that bought the Nuclear Gauge, the rod was not removed from the casing. Therefore, it is unknown if any exposure to persons occurred.
5. FES alarmed the Media and the Radio prior to recovering the Nuclear Gauge.
6. All FES employees were informed verbally of the incident and what procedures to take in the future to prevent this from occurring again. Additionally, we have bought additional strong locks that can not be cut and asked each employee to sign off for their assigned gauge. In addition, I plan as the RSO to hold monthly meetings with the employees to discuss safety and utilization of Nuclear Gauges.

I then asked Mr. Zulfikhar Ahmed to contact the NRC and explain what happened and I asked the President of FES Mrs. Cindy El-Awar to get in touch with the Norfolk Police and determine what exactly happened and what can we do to publicize the stolen Nuclear Gauge. Mrs. Cindy El-Awar contacted the Norfolk Police and went to see them the next day. The detective that was in charge told Mrs. El-Awar that the case has not been assigned yet. Mrs. El-Awar informed the detective of the urgency of the situation. The following day, Mrs. El-Awar was informed that a detective was assigned the case. Mrs. El-Awar contacted the detective in charge of the case and together they determined that the News should publicize the case on radio and on TV.

That evening, October 28, 2004, a TV reporter contacted me at home and I informed him of the details of the stolen Nuclear Gauge. The TV and radio publicized the Stolen Nuclear Gauge on October 29, 2004. In the morning of October 29, 2004, our office received a call from a Pawn Shop in Virginia Beach saying that they have our Nuclear Gauge. Some time later I received a call from NRC that the Nuclear gauge was located. I obtained information where the Nuclear gauge was located and drove to obtain possession of it. While in route, I received a call from the FBI, I informed them of the location where the Nuclear Gauge was held.

I arrived at the pawn shop and informed all parties involved, Norfolk Detectives, FBI and the Pawn Shop Owner that I need to inspect the Nuclear Gauge and determine its condition. After they obtained my information, I was allowed to inspect the Nuclear Gauge. I inspected the Nuclear Gauge and determined that no apparent physical damage was observed. I talked to the person that bought the Nuclear Gauge. He informed me that two (2) persons brought the Nuclear Gauge to the Pawn Shop in Norfolk and told him that this tests concrete. They told him that they have a friend that works in this field and they wish that they brought him with them to demonstrate it. Most of the stickers on the box were removed.

After I filled all the papers with the FBI and the store Owner, I was able to obtain possession of the Nuclear Gauge, I drove directly to the office and asked the Laboratory Manager to check the Nuclear Gauge completely. We checked the Nuclear Gauge and determined that it was performing properly.

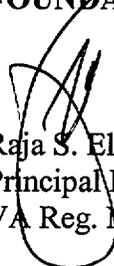
After recovering the gauge "Serial Number 29129" we inspected it thoroughly and found that every thing was in place, checked the gauge for radiation by using Monitoring Device: Radiation Alert® – Monitor 4, and conducted a leak test.

*Recovered Nuclear Gauge
Foundation Engineering Science, Inc.
Newport News, Virginia*

FES hopes that this explanation provides sufficient information to the U. S. Nuclear Regulatory Commission about the recovered Nuclear Gauge and looks forward to better cooperation with you in the near future.

Respectfully Submitted,

FOUNDATION ENGINEERING SCIENCE, INC.



Raja S. El-Awar, PE
Principal Engineer/RSO
VA Reg. No 26383

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