

FACTUAL SUMMARY FOR OI REPORT 1-2004-048

This investigation was initiated by the Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region I, on November 23, 2004, to determine whether employees of US Engineering failed to provide true and accurate information to the NRC (1) during an inspection on September 22, 2004, and (2) in unsolicited written statements following the inspection regarding the storage and security of licensed material.

Based on the evidence developed during this investigation, OI concluded that a licensee employee (Individual A) made a false statement to an NRC inspector during an inspection on September 22, 2004, regarding the storage of licensed material, but later corrected the false statement in an unsolicited written statement dated September 24, 2004. In addition, OI determined that a different licensee employee (Individual B) deliberately provided false information in writing in an unsolicited written statement dated October 28, 2004, and to the NRC during the investigation in a March 18, 2005, interview.

With respect to Individual A, he admitted telling an NRC inspector that he took a nuclear gauge home every six months and stored it in his closet. Individual A's unsolicited statement to the NRC explained that he was nervous at the time of the inspection, that he did not store radioactive gauges in his residence, and that he usually stored the gauges in his locked vehicle.

With respect to Individual B, at a temporary job site two NRC inspectors observed a gauge containing licensed radioactive material which was not under constant surveillance of Individual B, who was responsible for the gauge. Individual B was sitting in his vehicle and doing paperwork while the gauge was approximately 90 feet away and an unattended bulldozer was located between the individual and the gauge, causing obstruction of his view of the gauge. Individual B's unsolicited written statement to the NRC represented that the gauge was under his constant surveillance at the time in question. When interviewed by OI, the individual again stated that he maintained the gauge under constant surveillance. The individual admitted, however, that at the time in question he was doing paperwork and that a bulldozer had obstructed his view of the gauge for approximately 5 to 10 minutes.

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