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NRC Issues Confirmatory Order to Kruger Technologies

The Nuclear Regulatory Commission has issued a confirmatory order to Kruger Technologies, Inc., which has agreed to a series of corrective actions to address the failure to provide required controls for the security of a portable nuclear gauge.

The company, headquartered in Lenexa, Kan., operates a construction consulting and testing service. It is licensed by the NRC to use portable gauges to measure physical properties of construction materials at its facilities in Knob Noster, Mo., McConnell Air Force Base in Wichita, Kan., and at temporary job sites that are within the NRC's jurisdiction.

The order stems from a settlement that was reached under the NRC's Alternative Dispute Resolution process requested by Kruger Technologies to address an incident identified during a NRC inspection of the Knob Noster facility on May 21, 2014. An NRC inspector found an unsecured portable gauge in the bed of a truck without supervision by company staff to ensure gauge security. The NRC determined this constituted a failure of the NRC's requirement to provide sufficient barriers and controls to secure the gauge from unauthorized removal.

The NRC's ADR process includes mediation facilitated by a neutral third party, with no decision-making authority, that assists the NRC and a licensee in reaching an agreement when there are differences regarding an enforcement action.

A mediation session between NRC staff and Kruger Technologies was held on Sept. 3 and a settlement was reached. The confirmatory order outlines the steps the company has agreed to take to address the violation and prevent its recurrence.

These actions include reviewing and revising the company's policy for implementing NRC requirements; providing and documenting annual training on these requirements to all authorized gauge users; establishing a process for and conducting periodic inspections of portable gauges use to ensure compliance with the company's policy and NRC requirements; ensuring that persons trained as Radiation Safety Officers conduct yearly unannounced inspections at storage facilities and long-term temporary job sites; and appointing a Radiation Safety Officer at the Knob Noster facility who has gone through commercially-provided training which includes an examination.

“Using the ADR process allowed us to achieve not only compliance with NRC requirements, but a wide range of corrective actions that go beyond those the agency may get through the traditional enforcement process,” said NRC Region III Deputy Administrator Darrell Roberts. “The NRC will conduct a thorough review of the written reports describing the results of these activities which the company is required to provide.”

A copy of the Confirmatory Order will be available on the [NRC's website](#).