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Contact: Diane Screnci, 610-337-5330
Neil Sheehan, 610-337-5331

NRC Proposes \$3,500 Civil Penalty for Connecticut Firm Over Nuclear Gauge Security Control Deficiencies

The Nuclear Regulatory Commission staff is proposing a \$3,500 fine for a Connecticut firm for a violation of agency requirements involving the security of portable nuclear gauges.

Megan LLC, of Bridgeport, Conn., which operates Fairfield Testing Laboratory, is licensed by the NRC for the use of such gauges, which contain radioactive material and are used for industrial purposes that include measuring the density of soil at construction sites. NRC regulations require the use of two independent controls to secure portable nuclear gauges from unauthorized removal whenever they are not under the control or constant surveillance of company personnel.

During an inspection on Aug. 12, 2015, an NRC inspector was at a temporary jobsite in Connecticut with a company technician when he observed that a portable nuclear gauge was stored in the trunk of a car. The device was in a locked transportation case secured to the vehicle. However, the vehicle's doors were unlocked, allowing access to the trunk. What's more, the gauge user was temporarily away from the vehicle and therefore ongoing control and surveillance were not maintained.

Based on this violation, the NRC is proposing a \$3,500 civil penalty and Severity Level III Notice of Violation for the company. One of the determining factors is that Megan LLC was cited by the agency for a similar violation last February.

“This enforcement action re-emphasizes to this license-holder and others that they must be vigilant when it comes to the security of portable nuclear gauges,” NRC Region I Administrator Dan Dorman said. “In this case, because the locked transportation case remained in the vehicle's trunk, there were no impacts on public health and safety.”

The company initiated prompt and comprehensive corrective actions after being notified of the issue, including increased auditing of temporary jobsites by its Radiation Safety Officer; employee retraining; and a discussion of the event during annual radiation training for all employees.

The company is required to respond to the violation and civil penalty within 30 days.