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NRC Proposes \$14,000 Fine for Puerto Rico Company for Failing to Carry Out Cyclotron Decommissioning Activities

The Nuclear Regulatory Commission is proposing a \$14,000 civil penalty for a Puerto Rico firm for its failure to perform decommissioning activities associated with its cyclotron. International Cyclotron, of Hato Rey, Puerto Rico, operated the device to produce radionuclides used to provide nuclear medicine treatments to patients.

On Dec. 19, 2011, the NRC issued an order to the company requiring that it provide financial assurance for the decommissioning of the cyclotron facility within 60 days or suspend all NRC-licensed activities. The firm did not provide the necessary financial assurance but did halt the licensed activities as of Feb. 17, 2012.

International Cyclotron submitted a letter to the NRC on March 22, 2014, stating its intention to begin decommissioning of the facility as soon as possible, but certainly prior to April 18, 2014. To date, however, the company has taken no steps to initiate decommissioning activities, despite NRC regulations requiring such work be completed within 24 months. Further, the firm's owner has not responded to an NRC letter issued on June 13, 2016, that described apparent violations related to the failure to decommission the facility in a timely manner.

As a result, the NRC is proposing a Severity Level III violation and \$14,000 fine for International Cyclotron.

“The NRC’s overriding interest is to ensure that the company meets its obligation to decommission the facility and that any radioactive materials used or generated during the cyclotron’s operation are properly disposed of or transferred,” NRC Region I Administrator Dan Dorman said. “As such, the agency will consider not taking enforcement action if International Cyclotron properly disposes of or transfers the materials within 30 days and submits within 60 days a plan and schedule for completing decommissioning.”

Should the company fail to complete the actions, the NRC will impose the civil penalty and consider daily fines until the facility is successfully decommissioned.

The site does not pose a safety concern for the public because any radioactive contamination is contained within the facility.