

January 27, 2017
EN-17-001

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Individual: Curtis Thompson (IA-16-059)

Subject: ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES

This is to inform the Commission that an Order prohibiting involvement in NRC-licensed activities will be issued on or about February 1, 2017, to Curtis Thompson for engaging in deliberate misconduct, in violation of 10 CFR 30.10(a)(1). Mr. Thompson caused his former employer, American Engineering Testing, Inc., to be in violation of 10 CFR 34.41(a) when he performed industrial radiography without being accompanied by a second qualified individual. During the OI investigation, Mr. Thompson did not accept responsibility for his actions. He testified that he felt extremely pressured by a client of his former employer, and it was more important to complete the work than to follow NRC regulations. Mr. Thompson will be prohibited from any involvement in NRC-licensed activities for a period of 1 year and will be required to notify the NRC, for 1 year after the 1 year prohibition has expired, within 20 days following acceptance of his first employment offer involving NRC licensed activities.

Mr. Thompson did not respond to the letter that provided the opportunity to: (1) respond in writing, (2) request a predecisional enforcement conference, or (3) participate in an alternate dispute resolution mediation session.

American Engineering Testing, Inc., was issued a Notice of Violation for the Severity Level III violation of 10 CFR 34.41(a). A base civil penalty in the amount of \$14,000 is considered for a Severity Level III violation. Because the violation was willful, the NRC considered whether credit was warranted for both Identification and Corrective Action in accordance with the civil penalty assessment process in Section 2.3.4 of the NRC Enforcement Policy. The licensee identified the violation and informed the inspector of the incident during a routine inspection, so credit for Identification is warranted. The licensee implemented corrective actions, including terminating Mr. Thompson's employment, discussing the incident with radiography staff during annual refresher training, and emphasizing the importance of complying with the requirement to have two qualified individuals present during radiographic operations. Therefore, credit is warranted for Corrective Action.

It should be noted that the individual has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice
Telephone Notification of Individual

February 1, 2017
February 1, 2017

CONTACTS: Kerstun Norman, OE/EB
301-287-9516

Juan Peralta, OE/EB
301-287-9510

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