



# RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2017-0248

1

RESPONSE TYPE  INTERIM  FINAL

**REQUESTER:**

Julian Tarver

**DATE:**

01/31/2017

**DESCRIPTION OF REQUESTED RECORDS:**

- 1) Copy of notice PNO-III-05-011
- 2) Copy of notice to NRC from Indiana Department of Transportation related to gauge in above notice

### PART I. -- INFORMATION RELEASED

- Agency records subject to the request are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

### PART I.A -- FEES

AMOUNT\*

\$

\*See Comments for details

- You will be billed by NRC for the amount listed.
- None. Minimum fee threshold not met.
- You will receive a refund for the amount listed.
- Fees waived.

### PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

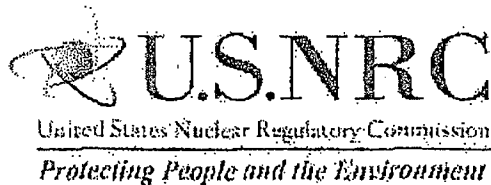
- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal."

### PART I.C COMMENTS ( Use attached Comments continuation page if required)

In conformance with the FOIA Improvement Act of 2016, the NRC is informing you that you have the right to seek assistance from the NRC's FOIA Public Liaison.

**SIGNATURE - FREEDOM OF INFORMATION ACT OFFICER**

Stephanie A. Blaney



Home > NRC Library > Document Collections > Reports Associated with Events > Event Notification Reports > 2005 > June 30

## Event Notification Report for June 30, 2005

U.S. Nuclear Regulatory Commission  
Operations Center

Event Reports For  
06/29/2005 - 06/30/2005

\*\* EVENT NUMBERS \*\*

418094181041812

▲ TOP

Other Nuclear Material	Event Number: 41809
Rep Org: INDIANA DEPT OF TRANSPORTATION	Notification Date: 06/29/2005
Licensee: INDIANA DEPT OF TRANSPORTATION	Notification Time: 07:55 [ET]
Region: 3	Event Date: 06/28/2005
City: LA PORTE State: IN	Event Time: 18:00 [CST]
County:	Last Update Date: 06/29/2005
License #: 132634001	
Agreement: N	
Docket:	
NRC Notified By: TOM KONIECZNY	
HQ OPS Officer: ARLON COSTA	
Emergency Class: NON EMERGENCY	Person (Organization):
10 CFR Section:	JAMES CAMERON (R3)
20.2201(a)(1)(i) - LOST/STOLEN LNM > 1000X	MICHELE BURGESS (NMSS)
	TAS (email) ()

### Event Text

STOLEN TROXLER DENSITY GAUGE

A Troxler Moisture Density Gauge Model 3440, S/N 18795 was stolen from a locked closet in the licensee's trailer field office located in East Chicago, IN, between 1800 [CDT] on 6/28/05 and 0600 on 6/29/05. The Model 3440 contains two (2) radioactive sources; 8 millicuries Cs-137 (S/N 508385) and 40 millicuries Am-241/Be (S/N 4714253). The licensee contacted the local police and they are investigating the incident. The licensee is not planning to issue a press release.

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Power Reactor

Event Number: 41810

June 30, 2005

PRELIMINARY NOTIFICATION OF EVENT OR UNUSUAL OCCURRENCE -- PNO-III-05-011

This preliminary notification constitutes EARLY notice of events of POSSIBLE safety or public interest significance. The information is as initially received without verification or evaluation, and is basically all that is known by the Region III staff on this date.

Facility

Indiana Department of Transportation  
LaPorte, IN  
Docket No.: 030-32462  
License No: 13-26340-01

Licensee Emergency Classification

Notification of Unusual Event  
 Alert  
 Site Area Emergency  
 General Emergency  
 Not Applicable

SUBJECT: Stolen Moisture/Density Gauge

DESCRIPTION:

On June 29, 2005, the Indiana Department of Transportation notified the Headquarters Operations Center that a Troxler moisture density gauge containing 8 millicuries of cesium-137 and 40 millicuries of americium-241 was stolen from a locked closet inside the licensee's trailer field office located in East Chicago, Indiana.

The licensee notified the local police department on June 29, and a police investigation is being conducted. The State of Indiana and the NRC Office of Nuclear Material Safety and Safeguards were notified. The information in this preliminary notification has been reviewed with licensee management. The licensee is considering issuing a press release.

Region III was notified of the theft at 7:55 a.m. EDT on June 29, 2005, by the Headquarters Operations Center.

Region III is monitoring the licensee's recovery efforts.

This information is current as of 2:00 p.m. CDT on June 30, 2005.

CONTACTS:

Michael LaFranzo  
(630) 829-9863

Darrel Wiedeman  
(630) 829-9808

Facility: PALO VERDE  
 Region: 4 State: AZ  
 Unit: [1] [2] [3]  
 RX Type: [1] CE, [2] CE, [3] CE  
 NRC Notified By: DAN MARKS  
 HQ OPS Officer: PETE SNYDER  
 Emergency Class: NON EMERGENCY  
 10 CFR Section:  
 50.72(b)(2)(xi) - OFFSITE NOTIFICATION  
 50.72(b)(3)(xiii) - LOSS COMM/ASMT/RESPONSE

Notification Date: 06/29/2005  
 Notification Time: 13:23 [ET]  
 Event Date: 06/29/2005  
 Event Time: 04:43 [MST]  
 Last Update Date: 06/29/2005  
 Person (Organization):  
 JEFFERY CLARK (R4)

Unit	SCRAM Code	RX CRIT	Initial PWR	Initial RX Mode	Current PWR	Current RX Mode
1	N	Y	100	Power Operation	100	Power Operation
2	N	Y	100	Power Operation	100	Power Operation
3	N	Y	100	Power Operation	100	Power Operation

**Event Text**

EVACUATION SIREN INOPERABLE

"The following event description is based on information currently available. If through subsequent reviews of this event, additional information is identified that is pertinent to this event or alters the information being provided at this time, a follow-up notification will be made via the ENS or under the reporting requirements of 10CFR50.73.

"On June 29, 2005 at approximately 08:55 Mountain Standard Time (MST), the Palo Verde Emergency Preparedness Program Manager was notified of an inoperable single siren #36. An alarm indicates that the inoperability started at 04:43 AM MST. The siren was vandalized by destroying the battery case and stealing the internal battery. The affected siren is estimated to impact approximately 215 members of population (10.1 %) in the emergency planning zone (EPZ) within 5 miles. Palo Verde's reporting criterion is a loss of capability to inform greater than 5% of the population within 5 miles (or 10% within 5 to 10 miles) for greater than 1 hour. This call is being placed due to the relatively large segment of the population affected and the uncertainty of the length of time that will be needed to restore the siren to operable condition. The Palo Verde Emergency Plan (section 6.6.2.1) has a contingency for dispatching Maricopa County Sheriffs Office (MCSO) vehicles with loud speakers to alert persons within the affected area(s) when sirens are inoperable.

"The County was informed at 09:25 AM MST to implement the MCSO notification if a need arises.

"There are no events in progress that require siren operation.

"The NRC Resident Inspector has been notified of the siren failure and this ENS call."

Power Reactor Facility: HOPE CREEK Region: 1 State: NJ Unit: [1] [ ] [ ] RX Type: [1] GE-4 NRC Notified By: DAVID HALL HQ OPS Officer: HOWIE CROUCH	Event Number: 41812 Notification Date: 06/29/2005 Notification Time: 17:32 [ET] Event Date: 06/29/2005 Event Time: 14:40 [EDT] Last Update Date: 06/29/2005
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Emergency Class: NON EMERGENCY

Person (Organization):

10 CFR Section:

JOHN WHITE (R1)

50.72(b)(3)(xiii) - LOSS COMM/ASMT/RESPONSE

UnitSCRAM CodeRX CRITInitial PWR Initial RX Mode Current PWRCurrent RX Mode

1 N Y 100Power Operation 100Power Operation

**Event Text**

LOSS OF EMERGENCY SIRENS DUE TO POWER OUTAGE

"At 1440 hrs [EDT] on 06/29/05, the Emergency Plan Coordinator for PSEG informed the Hope Creek Control Room that 31 offsite sirens were inoperable due to an unplanned power outage. The Hope Creek ECG [Emergency Communications Guide] requires an eight-hour report to be made if greater than 17 offsite sirens are inoperable for more than one hour. All safety systems are available and operable with the exception of the 'C' Safety Auxiliary Cooling Water Pump, and the 'C' Residual Heat Removal Pump, which is cleared and tagged for a scheduled system outage. At 1555 [hrs.], [we were] notified by [the] Emergency Plan coordinator that power was restored to a majority of the sirens in New Jersey. [Nine] sirens in New Jersey are still inoperable, [one] siren in Delaware is still inoperable."

The licensee has notified the NRC Resident Inspector.

*Page Last Reviewed/Updated: Friday, March 30, 2012*



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue

Room N758

Indianapolis, Indiana 46204-2216

(317) 232-5533

FAX: (317) 232-0238

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MITCHELL E. DANIELS, JR., Governor  
THOMAS O. SHARP, Commissioner

Writer's Direct Line  
LaPorte District  
PO Box 429  
LaPorte, IN 46352  
(219)362 6125

July 18, 2005

Mr. Michael M. LaFranzo, Radiation Specialist  
United States Nuclear Regulatory Commission  
Region III - Division of Nuclear Materials Safety  
2443 Warrenville Road, Ste. 210  
Lisle, IL 60532-4352

RE: License 13-26340-01.

Dear Mr. LaFranzo:

Pursuant to Section 20.2201, this is a follow up written report documenting a stolen Troxler Model 3440 Surface Moisture-Density Gauge, Serial No. 18795. A telephone report was conveyed to the NRC Operation Center on June 29, 2005.

The licensed materials involved were sealed radioactive sources Cesium-137, 8 mCi (Serial No. 50-8385) and Americium-241/Beryllium, 40 mCi (Serial No. 4714253). The material is "Special Form" encapsulated sealed source.

Sometime between 6:00 PM on June 28, 2005 and 6:00 AM on June 29, 2005, the gauge was stolen from the field office where it was stored. It is located at a construction job site on SR-912 and Riley Road in the city of East Chicago, IN. The office was broken into and along with the gauge; computer items, a full size copy machine and a fax machine were also stolen. The gauge was locked in a closet, and the door was pried open to obtain it.

At this time the gauge is still missing and probable disposition is unknown.

At this time it is unknown whether there have been any persons exposed to radiation.

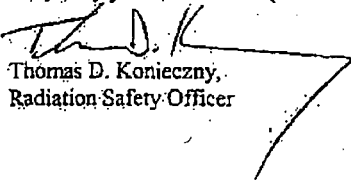
The local East Chicago police are conducting an investigation. The Indiana Department of Transportation considered making a press release to the media explaining the incident, but the decision was made not to do so.

A new gauge has not been issued to the project at this time. The office will be equipped with a security system that includes motion detectors and will call the local police if a break-in occurs. If a gauge is issued, it will be locked in a closet and will be secured with a chain that will be fastened to a permanent fixture inside the closet.

If you need any additional information, please contact me.

Thank you for your involvement with this matter.

Very truly yours,

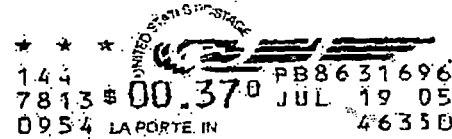
  
Thomas D. Konieczny,  
Radiation Safety Officer

INDIANA DEPARTMENT OF TRANSPORTATION

P.O. Box 429

LaPorte, Indiana 46352

RETURN IN FIVE DAYS



NUCLEAR REGULATORY COMMISSION  
REGION III - DIVISION OF NUCLEAR MATERIALS SAFETY  
2443 WARRENVILLE ROAD, STE 210  
LISLE, IL 60532-4352

ATTN: MR. MICHAEL M. LAFRANZO  
60532-4352 21



Dear FOIA Requester:

The FOIA Improvement Act of 2016, which was enacted on June 30, 2016, made several changes to the Freedom of Information Act (FOIA). Federal agencies must revise their FOIA regulations to reflect those changes by December 27, 2016. In addition to revising our regulations, we intend to update the Form 464, which we use to respond to FOIA requests.

In the interim, please see the comment box in Part I.C of the attached Form 464. The comment box includes information related to the recent changes to FOIA that is applicable to your FOIA request, including an updated time period for filing an administrative appeal with the NRC.

Sincerely yours,

*Stephanie Blaney /S/*

Stephanie Blaney  
FOIA Officer