

DCS

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Cameo Diagnostic Centre, Inc. (EA 94-035)
License No. 20-27908-01
Docket No. 030-29567

Subject: ORDER MODIFYING ORDER IMPOSING CIVIL MONETARY PENALTY -
\$1,750

By EN 93-033 dated April 13, 1993, the Commission was notified of the intent of OE to issue an Order Imposing Civil Monetary Penalty in the amount of \$1,750 to Cameo Diagnostic Centre, Inc. The action was based on: (1) the willful use of NRC-licensed material at a new location not authorized by the license, and (2) the willful failure to inform the NRC of such use. On December 17, 1993, the Licensee requested a hearing. On February 1, 1994, the Atomic Safety and Licensing Board (ASLB) held a prehearing conference and ordered the NRC staff, among other things, to prepare a brief addressing whether a total failure to provide material information to the Commission can, as a matter of law, constitute a violation of 10 CFR 30.9(a). After reviewing the facts, and statements made by the inspector and the licensee, the NRC staff is modifying Violation I.B to clarify the facts supporting the violation.

Accordingly, an Order Modifying Order Imposing Civil Monetary Penalty in the amount of \$1,750 has been issued today. Under the terms of the Order, the licensee may within 20 days of the date of the Order, pay the civil penalty or continue the hearing proceedings.

Contact: P. Santiago, OE, 504-3055 J. Lieberman, OE, 504-2741

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