

June 9, 1994
EN 94-069

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: William Vazquez-Agrait (Licensee) (EA 94-063)
Mayaguez, Puerto Rico 00709-1073
Docket No. 030-20563

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$750

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$750 will be issued on or about June 14, 1994, to William Vazquez-Agrait, an NRC licensee. This action is based on a Severity Level III violation that involved the failure to control licensed material consisting of approximately 10 millicuries of cesium-137 and 50 millicuries of americium-241 contained in a moisture/density gauge. The base civil penalty for this Severity Level III violation is \$500. Escalation of 50 percent was applied for the factor of identification because the violation was identified by the NRC. Mitigation of 50 percent was applied for corrective action and escalation of 50 percent was applied for licensee performance. No further adjustments were warranted. Five other violations were cited and categorized at Severity Level IV for violations related to training, dosimetry and transportation requirements.

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

Mailing of Notice June 14, 1994
Telephone Notification of Licensee June 14, 1994

The Commonwealth of Puerto Rico will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: B. Uryc, RII (404) 331-5505 S. D. Ebnetter (404) 331-5500

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**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

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