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NRC Imposes Civil Penalty to Pennsylvania Company

The Nuclear Regulatory Commission is issuing an order imposing a \$25,600 fine against a Pennsylvania firm for work performed in West Virginia without obtaining agency permission.

On March 2, 2022, the NRC announced that Steel City Gamma LLC, based in Daisytown (Washington County), Pennsylvania, would be issued a Severity Level II violation and a civil penalty for performing industrial radiography work in West Virginia without obtaining agency permission. The work took place on Dec. 18, 2019, and between Jan. 1, 2020, and April 9, 2020, at a facility in Pleasant Valley, West Virginia.

In accordance with NRC practices, the company was provided with the opportunity to pay the fine or contest it via a written response. Since then, however, the NRC has not received either the payment or further communications on the matter from the company, leading the agency to take the step of issuing an order imposing the civil penalty.

The enforcement action stemmed from an investigation conducted between April 21, 2020, and March 1, 2021, the NRC's Office of Investigations, which determined that Steel City Gamma did not abide by the applicable requirements, including conducting the work without a license from the Commonwealth of Pennsylvania when it was amended to possession and storage only. In addition, the investigation found that the company's then-owner engaged in deliberate misconduct by knowingly violating regulations pertaining to reciprocity.

On Feb. 3, 2022, the NRC Region I Office, in King of Prussia, Pennsylvania, conducted a predecisional enforcement conference with Steel City Gamma to discuss the violations, causes and corrective actions. During this conference, the company's current owner acknowledged the violations. In addition to the fine, the NRC at that time also issued an order prohibiting the firm's former owner from participating in NRC-licensed activities for five years because of the deliberate misconduct.

The violations did not result in any actual safety or security consequences.

As an NRC "Agreement State," the Commonwealth of Pennsylvania oversees the use of nuclear materials within its borders that would otherwise be regulated by the NRC. Under a reciprocity requirement, if Agreement State-licensed materials are used in a state where nuclear materials are regulated by the NRC, including West Virginia, approval must first be obtained from the agency.