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FOR IMMEDIATE RELEASE

NRC PROPOSES \$5,500 FINE FOR PENNSYLVANIA METALS COMPANY  
FOR IMPROPER POSSESSION OF RADIOACTIVE MATERIALS

The Nuclear Regulatory Commission staff has proposed a \$5,500 fine for a Pennsylvania metals company for continuing to possess radioactive materials despite the expiration of the NRC license allowing it to do so.

HTP Inc. had been licensed by the NRC to possess and use cadmium-109 and americium-241 sealed sources at its facility in Sharon, Pa. Those radioactive materials are used in analyzer machines that evaluate metals to determine, both qualitatively and quantitatively, which alloys are present. But the company's license expired on January 31, 1995, and although HTP requested a renewal, it was not approved because of a repeated failure to pay the required application fee.

NRC regulations required that the radioactive materials be properly transferred to an authorized recipient by March 31, 1997. Despite repeated reminders, that did not occur. Therefore, the agency has concluded the violation is willful.

"Willful violations of NRC requirements are a significant regulatory concern because the conduct of licensed activities in accordance with the (Atomic Energy) Act and the Commission's requirements depends largely on the integrity of individuals conducting NRC-licensed activities," NRC Region 1 Administrator Hubert J. Miller wrote to HTP. "Your continued possession of licensed material, despite the notifications made to you, is particularly serious."

The licensee can avoid the \$5,500 civil penalty if it properly transfers the sources to an authorized recipient. However, the NRC intends to impose that penalty and consider fines of \$500 per day if HTP fails to act within 30 days. If assessed, the daily civil penalties would continue until the radioactive materials are properly transferred.

HTP has 30 days to pay the fine or request in writing that all or part be withdrawn.

2

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