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NRC PROPOSES \$3,250 CIVIL PENALTY FOR WEST VIRGINIA FIRM OVER TEMPORARY LOSS OF NUCLEAR GAUGE

The Nuclear Regulatory Commission staff is proposing a \$3,250 fine for a firm based in Morgantown, W.Va., for two violations of agency regulations involving maintaining proper control of a nuclear gauge. The gauge in question belongs to Triad Engineering, Inc. It contains small amounts of NRC-licensed radioactive material and is used for such industrial purposes as measuring the density of soil at construction sites.

NRC inspectors identified the violations during a special inspection on May 8 and June 14 at Triad Engineering's offices in Winchester and Purcellville, Va. The inspection was performed in response to an event on March 14. On that day, a Triad Engineering employee was transporting a portable nuclear density gauge in an open-bed pickup truck from the company's Purcellville office to a temporary job site. The gauge was stored in a locked transport container. The container had not been secured to the truck and the vehicle's tailgate was not closed.

As the truck turned onto a public roadway from the facility's driveway, the container fell off the vehicle onto the roadway. The Triad employee did not realize this had occurred until two members of the public working nearby alerted him. The citizens also notified local police, who in turn contacted the local fire marshal. After recovering the nuclear gauge and returning it to the field office, company personnel performed checks and determined that the container and the gauge were not damaged. The event did not result in radioactive exposures to any members of the public.

Triad Engineering discussed the violations with NRC staff during a predecisional enforcement conference on Aug. 9.

Based on information gathered during the inspection and provided by the company during the Aug. 9th meeting, the NRC has identified two violations of agency requirements. They are: A failure by the authorized gauge user to properly secure the gauge to the bed of the truck and close the tailgate; and a failure to control and maintain constant surveillance of a gauge containing NRC-licensed radioactive material that was in an unrestricted area and not in storage.

“Although the (radioactive) source in this case remained in the shielded position at all times, these violations could have caused unnecessary radiation exposure to members of the public,” NRC Region I Administrator Samuel J. Collins wrote in a letter to the company explaining the enforcement action.

The company is required to provide the NRC with a written reply within 30 days.

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