



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC PROPOSES \$3,250 FINE FOR N.J. COMPANY OVER VIOLATION ASSOCIATED WITH THEFT OF PORTABLE NUCLEAR GAUGE

The Nuclear Regulatory Commission has proposed a \$3,250 civil penalty for Underwood Engineering Testing Co., Inc., based in Bellmawr (Camden County), N.J., for a violation of agency requirements involving the control and security of NRC-licensed radioactive materials. The proposed fine is for a violation identified during an NRC special inspection conducted last year. That inspection was initiated after a portable nuclear gauge owned by the firm was reported stolen from a company employee's vehicle last March.

On March 20, 2007, the NRC's Operations Center was notified about the theft of the nuclear gauge the previous day. The gauge, which is used for such industrial purposes as measuring the density of soil at a construction site, contained sealed radioactive sources; one held a small amount of cesium-137 and the other a small amount of americium-241. At the time, the vehicle in which it was stored was parked at a temporary job site in Philadelphia. City police located the gauge's transport container on March 22 near a Philadelphia scrap yard.

An NRC-licensed contractor retained by Underwood Engineering could locate only the cesium-137 source. The cesium-137 source was packaged and shipped off-site for disposal. Detailed radiological surveys of the site by the NRC and the Pennsylvania Department of Environmental Protection also failed to find the americium-241 source. A load of scrap metal transferred from the scrap yard to a metal recycling facility in Camden, N.J., on March 21 also led to checks at that location on March 24, but those efforts likewise failed to turn up the missing source. In addition, detailed surveys of the temporary job site, the scrap yard and the Camden facility by personnel from the U.S. Department of Energy's Radiological Assistance Team were unable to locate the americium-241.

The NRC, in response to the event, conducted a special inspection of Underwood Engineering's radiation safety program, its procedures to secure portable gauges from unauthorized removal, and the circumstances surrounding the theft of the device. It was also

performed to evaluate the company's corrective actions. The inspection took place during the period of March 28 through Aug. 13 at the company's facilities in Bellmawr and at six temporary job sites.

The violation for which the fine has been proposed is based on multiple examples of inadequate control of nuclear gauges, including the loss of the radioactive source. NRC regulations require that each portable gauge be secured with a minimum of two independent physical controls to prevent its unauthorized removal when they are not under the control or constant surveillance of company personnel. However, NRC inspectors found repeated occasions when Underwood Engineering personnel did not adhere to that requirement.

"Even though no instances of contamination were identified among personnel, the presence of licensed radioactive material in the public domain has the potential to cause contamination and unnecessarily expose members of the public to radiation," NRC Region I Administrator Samuel J. Collins wrote in a letter to the company notifying it of the enforcement action.

Underwood Engineering took part in an NRC Predecisional Enforcement Conference regarding the special inspection findings on Nov. 19. Such conferences allow companies an opportunity to provide the agency with additional information prior to the NRC reaching a decision on potential enforcement actions. During that meeting, company representatives discussed the root causes of the apparent violations that had been identified and corrective actions taken and/or planned to prevent future violations. The corrective actions include: meeting with the company's authorized users to discuss gauge security requirements; the installation of fixed storage room structures; having the firm's Radiation Safety Officer conduct site visits twice a month to ensure authorized users are adhering to NRC regulations; and hiring an independent consultant to enhance the radiation safety program.

The company is required to provide the NRC with a response to the enforcement action within 30 days. The agency will conduct additional inspections to verify the firm's implementation of its corrective actions.

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