



# NRC NEWS

## U.S. NUCLEAR REGULATORY COMMISSION

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### **NRC PROPOSES \$3,250 CIVIL PENALTY FOR CHESAPEAKE, VA., FIRM FOR VIOLATIONS ASSOCIATED WITH TEMPORARY LOSS OF NUCLEAR GAUGE**

The Nuclear Regulatory Commission is proposing a \$3,250 fine for McCallum Testing Laboratories, of Chesapeake, Va., for two violations of agency requirements involving the control and security of a portable nuclear gauge. The device, which contains small amounts of radioactive material, is used for such industrial purposes as checking the density of soil at construction sites.

An NRC inspector identified the violations during an inspection conducted on June 19, 2007, at the offices of McCallum Testing and at a Chesapeake fire department. That inspection was performed to examine licensed activities as they relate to radiation safety and to review the circumstances surrounding an event that took place in February 2007.

On Feb. 15, 2007, McCallum Testing notified the NRC that a portable moisture density gauge owned by the company had been lost at the intersection of Route 17 and George Washington Parkway in Chesapeake. The company also stated that local police had been informed of the loss. About a half-hour later, the company reported that the gauge had been found by two city employees and taken to the Deep Creek Fire Department in Chesapeake.

Further investigation by the company determined that the device had fallen from a truck driven by a company employee who was an authorized gauge user. The driver had failed to secure the gauge in its transportation box and when the truck turned a corner, the vehicle's tailgate opened and the device fell onto the street. The gauge was subsequently struck and damaged by a truck driven by the two city employees. In addition, a radioactive source rod that is part of the gauge became detached at an unspecified point, leaving a cesium-137 source in an unshielded position. That condition could have exposed a worker or member of the public to radiation. However, based on reviews by the company and NRC inspectors, no harmful radiation exposures occurred as a result of the event.

“During the time that the damaged gauge was lost, a potential existed for significant radiation exposures to members of the public, if the source rod had been compromised or

contamination occurred,” NRC Region I Administrator Samuel J. Collins wrote to the company in a letter notifying it of the enforcement action.

The violations identified by the NRC for which the fine is being proposed are: 1) a failure to control and maintain constant surveillance of a portable nuclear gauge in an unrestricted area; and 2) failure to properly block and brace a gauge prior to transporting it. The NRC also cited three other violations, including a failure to ensure employees received required hazmat training; a failure on two occasions to use a lock or outer locked container to prevent unauthorized or accidental removal of a sealed gauge source from its shielded position when being transported or when in storage; and failure to perform periodic reviews of the company’s radiation safety program content and implementation.

McCallum Testing was offered the opportunity to take part in a predecisional enforcement conference or submit a written response prior to the NRC rendering its final decision on an enforcement action. The company declined both options.

The company is required to provide a written response to the Notice of Violation and the proposed imposition of the civil penalty within 30 days.

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