

# **United States Nuclear Regulatory Commission**

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## **NRC STAFF SCHEDULES ENFORCEMENT CONFERENCE IN PONCE, PUERTO RICO ON NOVEMBER 9 TO DISCUSS SECURITY CONCERNS WITH MAYAGUEZ COMPANY**

### Meeting Is Open To Observation By The Public

The Nuclear Regulatory Commission staff has scheduled a predecisional enforcement conference with Western Soil, Incorporated, of Mayaguez, Puerto Rico, at 8:00 a.m. on November 9 at the Holiday Inn in Ponce to discuss regulatory concerns related to a June 4 theft of a device containing radioactive material from a construction site in Aguada.

The device, a gauge containing radioactive material which is used to measure soil moisture and density, was found by local police on June 7 and returned to the company. It did not appear to have been tampered with.

NRC officials say three apparent violations associated with the event have been identified. The first involved a failure by the company to secure the device from unauthorized removal and failure to maintain constant surveillance of licensed radioactive material stored in the bed of a pickup truck at the site. The second involves failure to notify the NRC Operations Center in Washington, D.C., immediately after discovery that the gauge was stolen. The third involved failure to transport the gauge with a feature, such as a seal not readily breakable, to provide evidence that the package was not opened while in transport.

The decision to hold a predecisional enforcement conference does not mean that a determination has been made that a violation has occurred or that enforcement action will be taken. The purpose is to discuss apparent violations, their causes and safety significance, to provide the licensee with an opportunity to point out errors that may have been made in NRC inspection reports and to enable the company to outline its proposed corrective actions.

No decision on the apparent violations or any contemplated enforcement action, such as a civil penalty, will be made at the conference. Those decisions will be made by NRC officials at a later time.

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