

U.S. Nuclear Regulatory Commission
Office of Public Affairs, Region II
61 Forsyth Street, Suite 23T85
Atlanta, GA 30303

No: II-98-24
Contact: Ken Clark or Roger Hannah

FOR IMMEDIATE RELEASE
(Thursday, March 26, 1998)

**NRC STAFF PROPOSES \$5,500 FINE AGAINST KENTUCKY
ENGINEERING AND TESTING FIRM**

The Nuclear Regulatory Commission staff has proposed a \$5,500 civil penalty against Ground Engineering and Testing Service, Inc. of Louisville, Kentucky for violations of NRC requirements related to the use of radioactive material in areas under NRC jurisdiction without an NRC license.

Ground Engineering and Testing Service is authorized under a license issued by Kentucky to use portable moisture/density gauges at temporary job sites. Kentucky is an NRC agreement state, meaning it regulates radioactive material use at most locations within its borders through an agreement with the NRC. However, an NRC inspection found that in 1997 the company had conducted activities at Fort Knox in Kentucky, a federal facility under NRC jurisdiction, and in West Virginia and Indiana, two states where radioactive material users are regulated by the NRC. The company was required to obtain an NRC license for the work at Fort Knox and in the other two states and did not do so.

The base civil penalty for this violation is \$2,750, but in this case it was doubled because the violation was identified by the Commonwealth of Kentucky and the NRC, and because the company continued to use the gauges for six days after being notified by the NRC of the failure to obtain the license.

At a previous meeting with the NRC, the company indicated it intended to file the necessary documents to obtain a proper NRC license before using radioactive material in an area of NRC jurisdiction.

The company has 30 days from receipt of the Notice of Violation to either pay the fine or protest its imposition.

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