



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC PROPOSES \$3,250 CIVIL PENALTY FOR CHESAPEAKE, VA., COMPANY FOR STORING NUCLEAR GAUGES AT UNAUTHORIZED LOCATION

The Nuclear Regulatory Commission staff has proposed a \$3,250 fine for a Chesapeake, Va., company for a violation of agency requirements. The violation, by IBS of America, Corp., involves a failure to confine the use of nuclear gauges to a location authorized on the company's NRC-issued license.

On Nov. 5, 2007, the NRC conducted an unannounced inspection at the Chesapeake offices of IBS, which is a service company to the paper-manufacturing industry. The inspectors determined that IBS had ceased principal activities at its facility on Cook Boulevard and was now based instead at a facility on Profit Way, even though the firm failed to notify the NRC of this change in writing within 60 days, as required. The company was also storing nuclear gauges at the Profit Way site when its license did not authorize it to do so at that location.

The NRC has proposed the civil penalty for the unauthorized storage of the gauges at the Profit Way location. In addition, the agency intends to cite, but not fine, IBS for failing to provide written notification of its location change, as well as a failure to perform leak tests on two gauges at the required 6-month interval.

"In assessing the significance of the violation, the NRC considered that at the time that IBS moved to its new location, two of its gauges had not been recently leak tested, and IBS had not performed a final radiation survey of its prior location of use. This created a potential for the prior location of use to have been released for unrestricted use with residual contamination present," NRC Region I Administrator Samuel J. Collins wrote in a letter to the company notifying it of the enforcement action.

IBS was offered the opportunity to take part in a predecisional enforcement conference with NRC staff. It did so on April 17, 2008, and discussed the apparent violations, their significance and root causes, and corrective actions taken by the company.

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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