



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs Region IV

1600 E. Lamar Blvd.

Arlington, TX 76011-4511

Telephone: (817) 860-8100

Site: www.nrc.gov

Blog: <http://public-blog.nrc-gateway.gov>

No. IV-12-019

Contact: Victor Dricks (817) 200-1128

Lara Uselding (817) 200-1519

May 16, 2012

E-Mail: OPA4.Resource@nrc.gov

NRC ISSUES CONFIRMATORY ORDER TO TEXAS GAMMA RAY AFTER AGREEMENT IS REACHED UNDER ALTERNATIVE DISPUTE RESOLUTION

Texas Gamma Ray has agreed to pay a \$7,000 fine and implement a series of corrective actions related to safely storing and securing radiography equipment under an agreement reached with the Nuclear Regulatory Commission. In addition, the NRC has prohibited a former radiographer from conducting any NRC-licensed activities due to willful violation of regulations.

The settlement with Texas Gamma Ray was achieved under the NRC's Alternative Dispute Resolution (ADR) process, which was initiated at the request of the licensee. The objective was to reach a preliminary settlement agreement and address three apparent violations that included a failure to meet two security requirements and storing radioactive material at an unauthorized location. These were detailed in an inspection report on Dec. 22, 2010.

In addition, the NRC found that willfulness may have been involved as a radiographer failed to store a radiographic exposure device at a location listed on Texas Gamma Ray's license. Due to this willful misconduct, the radiographer has been prohibited from performing, supervising or engaging in any industrial radiographic operations for a period of three years.

On March 5, Texas Gamma Ray informed the agency that they were interested in the use of ADR to resolve the matter. ADR is a process in which a neutral mediator with no decision-making authority assists the parties in reaching an agreement or resolving any differences regarding a dispute.

An ADR mediation session took place on April 23, and led to an agreement which is detailed in the Confirmatory Order issued on May 15, by the NRC. Under the agreement, Texas Gamma Ray's actions will include the following:

- Develop and implement a comprehensive training program for all employees that clearly explains the consequences for violating NRC regulations, and

- Develop and submit to NRC a procedure to oversee the field Radiation Safety Officers (RSOs) to include unannounced audits of security-related requirements and procedures
Copies of the enforcement actions will be posted on the NRC web site at:

<http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

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