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NRC Imposes Civil Penalty Against Rhode Island Firm

The Nuclear Regulatory Commission is imposing an \$8,400 civil penalty against a Riverside, R.I., company for failing to receive the appropriate approvals from the NRC before performing work on numerous occasions at both a federal facility in Rhode Island and in Connecticut.

The NRC on March 20 proposed a fine of \$11,200 for Geisser Engineering Corp. (GEC) but has now reduced that total.

Rhode Island is an “Agreement State,” which means that under an agreement with the NRC, it oversees the use of nuclear materials within its borders that otherwise would be regulated by the NRC. However, such activities performed at federal facilities within Agreement States, as well as at any sites in Non-Agreement States, are under the jurisdiction of the NRC and therefore must be approved by the agency. The approval process is known as “reciprocity.”

The NRC determined that GEC willfully failed to adhere to that reciprocity requirement and used portable nuclear gauges in areas of federal jurisdiction. Specifically, between Oct. 21, 2009 and June 23, 2011, the company performed work at the Newport Naval Station in Newport, R.I., an area of exclusive federal jurisdiction, and in Connecticut, a non-Agreement State, without filing for reciprocity with the NRC prior to conducting the activities. In total, GEC failed to file for reciprocity on 22 occasions.

In correspondence dated April 15, GEC requested relief from the proposed NRC civil penalty stating the proposed enforcement action, along with a penalty issued by Massachusetts for a violation involving the company’s failure to file for reciprocity prior to performing work in the state, would create a financial hardship.

GEC is required to pay the civil penalty or request a hearing within 30 days.