

**NRC NEWS**  
**U.S. NUCLEAR REGULATORY COMMISSION**  
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CONTACT: Breck Henderson  
Phone: 817-860-8128  
Cellular: 817-917-1227

E-mail:  
[OPA4.Resource@nrc.gov](mailto:OPA4.Resource@nrc.gov)

**NRC PROPOSES \$3,000 FINE FOR  
CONSTRUCTION ENGINEERING LABS, INC.**

The U.S. Nuclear Regulatory Commission staff has proposed a fine of \$3,000 against Construction Engineering Labs, Inc., of Pearl City, Hawaii, for failing to maintain required security over gauges containing radioactive material.

An NRC inspector identified the violation on March 7, and an investigation was conducted beginning March 28. The inspector found that a Construction Engineering Labs employee failed to secure and maintain constant surveillance over a moisture/density gauge containing cesium-137 and americium-241. The inspector later found that the company routinely used ropes, rather than bars or chains, to secure gauges, in violation of its NRC license.

The violation did not result in radiation overexposure of any workers or members of the public, but could have resulted in the gauge being stolen. The company has taken prompt and comprehensive corrective actions to assure that its workers secure gauges in accordance with regulations.

Construction Engineering Lab officials met with the NRC in Honolulu on August 20 to discuss the violation. The NRC has classified the violation as a Severity Level III problem, which carries a \$3,000 fine. The agency uses a four-level scale on which Level I is the most serious.

NRC Regional Administrator Ellis W. Merschoff said, in a letter to Construction Engineering Labs President Ronald A. Pickering, the fine is proposed ". . . to emphasize the importance of strict adherence with requirements to assure adequate security of licensed radioactive material . . ."

Construction Engineering Labs is required to respond to the letter and Notice of Violation with actions the company is taking to assure future compliance with all requirements of its license to possess radioactive materials. The company has 30 days to pay the fine or protest it. If the protest is denied, the company may request a hearing by the NRC.

Copies of the Notice of Violation sent to Construction Engineering Labs can be found on the NRC website at: [/QE](#)

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