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NRC Proposes Fine for Maryland Firm for Not Obtaining Approvals to Perform Work

The Nuclear Regulatory Commission has proposed a \$7,000 civil penalty for a Beltsville, Md., firm for a repeat violation involving the performance of work at sites under federal jurisdiction in the greater District of Columbia area without first obtaining approval from the NRC.

Kim Engineering Inc. conducted the activities, which involved using portable nuclear gauges for soil-density measurements at construction sites, on approximately 25 occasions between Jan. 5, 2015, and Aug. 14, 2015. Among the sites involved were Bolling Air Force Base and several NASA facilities.

As an NRC “Agreement State,” Maryland oversees the use of nuclear materials within its borders that would otherwise be regulated by the NRC. Under a reciprocity requirement, if the licensed materials are used in areas under federal jurisdiction, approval must first be obtained from the NRC.

“The NRC’s ability to inspect Kim Engineering’s activities was interfered with due to the company’s failure to seek reciprocity,” said NRC Region I Administrator Dan Dorman. “The violation sends a clear message that permission must be obtained before this work is performed to allow the agency to ensure adequate protection of the public when radioactive materials are being used.”

The NRC notified the company about the apparent violation in a letter issued on April 3, 2017. Kim Engineering responded on April 18, 2017, acknowledging the violation and describing its plan to address the issue. Because this was a repeat violation and was not identified by the company, the NRC has proposed a civil penalty of \$7,000.

The company will have 30 days to pay or appeal the fine, or to seek an alternate resolution.