



# NRC NEWS

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## **NRC PROPOSES \$3,250 CIVIL PENALTY FOR N.J. FIRM OVER LOSS OF SMALL AMOUNT OF RADIOACTIVE MATERIAL**

The Nuclear Regulatory Commission staff has proposed a \$3,250 fine for a New Jersey analytical laboratory for the loss of a small sample of radioactive material earlier this year from its facility in Teaneck, N.J. The apparent violations for which the civil penalty has been proposed against Ledoux & Co. involve failures to adequately survey, secure and dispose of NRC-licensed material in accordance with the agency's requirements.

Last March 30, the Ledoux laboratory in Teaneck received a shipment containing seven small analytical samples of uranium-235. A staff member opened the package on April 1, identified six of the seven samples, and performed an unsuccessful cursory search for the seventh sample. A more thorough search was conducted on April 12, resulting in the discovery that the shipping container had been removed as normal trash and a determination that the missing sample had been disposed of with the package.

The NRC was notified of the apparent loss on April 13. In response, the agency began an inspection at the facility the next day. On May 11, Ledoux provided the NRC with a written report that concluded the package had been sent to a landfill and the sample was therefore unrecoverable. NRC concurred with the company's conclusion that it was not practical to try and retrieve the sample because (1) the material could have gone to a number of different landfills and (2) the material posed no threat to members of the public. Specifically, the sample involved emits less than one-tenth of a millirem per hour while the average member of the public receives about 360 millirems from manmade and natural sources each year. (A millirem is a measure of exposure to radioactivity.)

After reviewing the event, the NRC has proposed the fine based on the following apparent violations: (1) staff at the Teaneck lab failed to adequately survey the package holding the samples and, because of this, one sample remained with the package; (2) even though a lab staff member could not account for all seven samples, no action was taken to retain the container, and when the package was removed from the facility's restricted area and placed in a dumpster, the sample was no longer secured from unauthorized removal or access; and (3) the package was disposed of in a landfill.

“NRC considers the failure to secure and/or maintain control of radioactive material a serious matter. In this case, the failure . . . led to an improper transfer to an unauthorized recipient,” NRC Region I Administrator Samuel J. Collins wrote in a letter to the company regarding the enforcement action.

The company has 30 days to provide a written response to the enforcement action.

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