



NRC NEWS

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NRC STAFF PROPOSES \$17,600 FINE AGAINST OHIO ENVIRONMENTAL SERVICES COMPANY FOR VIOLATING REGULATIONS

The Nuclear Regulatory Commission staff has proposed a \$17,600 fine against RMI Environmental Services (now Earthline Technologies) of Ashtabula, Ohio, for apparently violating NRC requirements protecting employees from discrimination.

The company from 1962 until 1988 fabricated uranium metal products for the Department of Energy, the Department of Defense, and other commercial clients. The facility currently is being decontaminated and decommissioned.

An NRC investigation found that an RMI radiation protection technician was placed on involuntary leave after he raised safety concerns about the handling of a radioactively contaminated pipe and other radiation protection issues. The staff cited RMI for discriminating against the employee who had raised safety concerns and proposed the \$17,600 fine.

The NRC staff issued a second violation pertaining to RMI's deliberate failure to control or limit access to licensed material, specifically from July 31-August 2, 1998, when sections of a contaminated pipe were improperly stored and labeled at RMI's Ashtabula, Ohio, site. That failure to properly control the contaminated pipe sections led to the improper removal of the pipes from the site. The pipe sections have since been returned to RMI's Ohio facility. The company took prompt and effective corrective actions, and, as a result, no fine was proposed for this violation.

The NRC staff also issued a separate but related violation to an RMI radiation protection supervisor for violating the agency's rule prohibiting deliberate misconduct. The NRC stated the violation, which did not result in a fine, occurred when the supervisor deliberately failed to control the concrete pipe contaminated with uranium.

The State of Ohio - having become an agreement state in 1999 - now has the regulatory authority over such licensees as RMI. However, since the violations involving RMI occurred prior to the State of Ohio obtaining agreement state status, the NRC retained regulatory authority over this case. The state participated in the RMI predecisional enforcement conference and was informed of the NRC's action in this matter.

An agreement state is a state that has signed an agreement with the NRC, authorizing the state

to regulate the use of radioactive materials within the state. Currently there are 32 agreement states.

In notifying the company of the proposed fine, NRC Regional Administrator James E. Dyer noted that the amount of the fine was doubled because RMI did not take corrective actions pertaining to the discrimination violation.

RMI Environmental Services has until October 24 to pay the fine or protest it. If the fine is protested and subsequently imposed by the NRC staff, the company may request a hearing.

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