

June 18, 2003
EN 03-031

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Individual: Mr. Lowell S. Trujillo (IA-03-002)

Subject: ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES

This is to inform the Commission that an Order Prohibiting Involvement in all NRC licensed activities will be issued on or about June 23, 2003, to Mr. Lowell S. Trujillo. The Order is being issued based on the information obtained during an OI investigation which determined that Mr. Trujillo deliberately used the license number from his former employer to acquire and use byproduct material in Idaho, a Non-Agreement State, without a valid NRC license, and was not exempt from the requirements for a license. Specifically, Mr. Trujillo as a partner and the proposed radiation safety officer (RSO) of Structural Testing and Inspection, (STI), purchased, possessed and used two Troxler Model 3411 gauging devices, each containing about 10 millicuries (mCi) of cesium-137 and about 50 mCi of americium-241, in violation of NRC requirements. The NRC staff concluded that Mr. Trujillo deliberately violated 10 CFR 30.3, which prohibits possession and use of byproduct material without an NRC license. A Notice of Violation is also being issued to (STI) (EA-03-006) for possession and use of byproduct material without an NRC license.

The Order to Mr. Trujillo requires that he be prohibited from any NRC-licensed activities for a period of three years. If Mr. Trujillo is currently involved in such activities, he must immediately cease those activities, and inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to his employer.

It should be noted that Mr. Trujillo has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Order	June 23, 2003
Telephone Notification of Licensee	June 23, 2003

The State of Idaho will be notified.

The individual has 20 days from the date of the Order in which to request a hearing.

Contacts: Neelam Bhalla, OE, 301-415-2740; James G. Luehman, OE, 301-415-2741

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

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