

March 13, 2014
EN-14-009

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Geisser Engineering Corporation EA-13-105
Riverside, Rhode Island
Docket No. 15000038

Individual: Mr. George Geisser, III IA-13-033
President of Geisser Engineering Corporation

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$11,200 AND ORDER
PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES (TO
PRESIDENT/OWNER)

This is to inform the Commission that a Notice of Violation (NOV) and Proposed Imposition of a Civil Penalty (CP) in the amount of \$11, 200 will be issued on or about March 18, 2014, to Geisser Engineering Corporation (GEC), a licensee of the State of Rhode Island, for a Severity Level (SL) II violation. Based on the information developed during an Nuclear Regulatory Commission (NRC) inspection and investigation, the NRC has determined that GEC failed to file for reciprocity prior to using portable gauges containing licensed material within NRC jurisdiction in the State of Connecticut, and at the Newport Naval Station, on 22 occasions between October 21, 2009, and June 23, 2011, as required by 10 CFR 150.20.

Further, a Severity Level II NOV and an Order prohibiting Mr. George Geisser, III, president of GEC, from involvement in NRC-licensed activities for a period of 3 years will be issued. Mr. Geisser engaged in deliberate misconduct in violation of 10 CFR 30.10(a)(1) by deliberately conducting and directing employees of GEC to use portable gauges in NRC jurisdiction without filing for reciprocity with the NRC causing GEC to violate the requirements set forth in 10 CFR 150.20. In addition, the Order will require Mr. Geisser, III, for a period of 1 year after the 3 year prohibition has expired, to notify the NRC within 20 days following acceptance of his first employment offer involving NRC licensed activities.

In a letter dated August 16, 2013, the NRC informed GEC and Mr. Geisser, III that the NRC was considering escalated enforcement action against GEC and Mr. Geisser, III for apparent violations that had been identified. A predecisional enforcement conference (PEC) was held on November 20, 2013, in the NRC's Region I office to discuss the apparent violations with GEC and Mr. Geisser, III as an individual.

In accordance with the Enforcement Policy, the base CP in the amount of \$5,600 is considered for a Severity Level II violation. The NRC considered whether credit was warranted for Identification and Corrective Action in accordance with the CP assessment process in Section 2.3.4 of the Enforcement Policy. Credit for identification was not warranted because the violations were identified as a result of an NRC inspection and investigation. Credit for corrective action was not warranted because the corrective actions identified during the PEC did not appear to be sufficient to ensure that further instances of the same nature would not occur in the future. Therefore, to emphasize the importance of compliance with NRC requirements, a CP in the amount of \$11,200, twice the amount of the base CP is being proposed. It should be noted that Geisser Engineering Corporation and Mr. Geisser, III, have not been specifically informed of these enforcement actions.

CONTACTS: Thomas Marenchin, OE/EB
(301) 415-2979

Nick Hilton, OE
(301) 415-3055

The schedule of issuance and notification is:

Mailing of Notice
Telephone Notification of licensee and Individual

March 18, 2014
March 18, 2014

The State of Rhode Island will be notified.

ELECTRONIC DISTRIBUTION: EN-14-009, March 13, 2014

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