

DCS

December 30, 1992
EN 92-105

OFFICE OF ENFORCEMENT
NOTICE OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Caribbean Soil Testing Company, Inc. (EA 92-239)
San Juan, Puerto R
Docket No. 030-1361

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$375

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$375 will be issued by Region II on or about January 5, 1993, to Caribbean Soil Testing Company, Inc. This action is based on a Severity Level III violation for failure to properly secure a moisture density gauge. The gauge was stolen from a licensee truck parked in front of the licensee's facility. The gauge, still locked, was recovered by the police three days later. The base civil penalty of \$500 was mitigated 25 percent for corrective actions. The other factors were considered but no further adjustment was warranted. A violation for failure to report the theft immediately by telephone was cited at Severity Level IV. The licensee notified NRC by letter dated the day of the theft.

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

Mailing of Notice	January 5, 1993
Telephone Notification of Licensee	January 5, 1993

The Commonwealth of Puerto Rico will be notified.

The licensee has 30 days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: G. Jenkins, RII, (404) 331-5505 S. Ebner, RII, (404) 331-5500

OWFN	OWFN	MNBB	PHIL	NL
Chairman Selin	EDO	OC	IRM	RES
Comm. Rogers	DEDR	AEOD		
Comm. Curtiss	DEDS	Op Ctr		Mail: OIG, ACRS, OI
Comm. Remick	OE			ADM: Doc Mgt Branch
Comm. dePlanque	NMSS	Regional Offices		PDR
SECY	NRR	RI RIII		
OCA	OGC	RIV RV		

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
PUBLICLY ANNOUNCED

9301110026 921230
PDR I&E
EN-92-105 PDR

110
1E-33