

October 1, 1996
EN 96-075

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: GCME, Inc. (EA 96-256 & 96-377)
DePere, WI
Docket No. 030-31195

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$5,000; AND DEMAND FOR
INFORMATION

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$5,000 will be issued on or about October 4, 1996, to GCME, Inc. The action is based on a Severity Level III problem involving failure to: (1) ensure that users of byproduct material were issued film badges; (2) secure licensed material from unauthorized removal; (3) provide training to users of byproduct material; and (4) transport licensed material in accordance with DOT requirements.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$2,500 is considered for a Severity Level III problem. The staff considered whether the licensee should be given credit for identification and corrective actions. Credit was not warranted for either factor because the NRC identified the violations and the licensee's corrective actions were neither prompt and comprehensive. Therefore, a civil penalty of twice the base amount (\$5,000) is being proposed.

In addition, given the fact that the violations demonstrate a lack of regard for procedures and a lack of management control and supervision over licensed activities, the staff is issuing a Demand for Information (Demand) which requires, among other things, that the licensee: (1) provide written assurance that all nuclear gauge users have been, and will be in the future, trained on NRC requirements; (2) describe the steps taken to ensure that sufficient management resources are available to properly oversee the NRC-licensed program; (3) explain why the NRC should conclude that the licensee is able to, or willing to, comply with the Commission's requirements; and (4) explain why the NRC should not suspend and revoke GCME, Inc.'s license.

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	October 04, 1996
Telephone Notification of Licensee	October 04, 1996

The State of Wisconsin will be notified.

The licensee has thirty days from the date of the Notice in which to respond to both the Notice and Demand. Following evaluation of the responses, the civil penalty may be remitted, mitigated, or imposed by Order; and the NRC will decide whether further enforcement action is necessary.

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