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NRC Proposes \$25,600 Fine for Pennsylvania Company

The Nuclear Regulatory Commission has proposed a \$25,600 civil penalty to a Pennsylvania company for performing work in West Virginia without obtaining approval from the NRC.

Steel City Gamma LLC, based in Daisytown (Washington County), Pennsylvania, conducted industrial radiography activities on Dec. 18, 2019, and between Jan. 1, 2020, and April 9, 2020, at a facility in Pleasant Valley, West Virginia.

Based on an investigation conducted between April 21, 2020, and March 1, 2021, the NRC's Office of Investigations determined that SCG did not abide by the applicable requirements, including performing the work without a license from Pennsylvania when it was amended to possession and storage only. In addition, the investigation found that the company's then-owner engaged in deliberate misconduct by knowingly violating regulations pertaining to reciprocity.

On Feb. 3, 2022, the NRC Region I Office conducted a predecisional enforcement conference with SCG to discuss the violations, causes and corrective actions. During this conference, the company's current owner acknowledged that SCG committed the violations. As a result, the NRC is proposing the fine and a Severity Level II violation. The agency is also issuing an order prohibiting the firm's former owner from participating in NRC-licensed activities for five years because of deliberate misconduct.

The violations did not result in any actual safety or security consequences.

"The failure to follow NRC requirements prior to using NRC-licensed materials is unacceptable," said NRC Region I Administrator David Lew. "We cannot permit any violations of NRC regulations to interfere with the protection of public health and safety."

Industrial radiography involves the use of a device containing nuclear material to check for cracks or flaws in materials that would not otherwise be visible. Applications can include the testing and grading of welds on pressurized piping, high-capacity storage containers and pipelines.

As an NRC "Agreement State," Pennsylvania oversees the use of nuclear materials within its borders that would otherwise be regulated by the NRC. Under a reciprocity requirement, if Agreement State-licensed materials are used in a state where nuclear materials are regulated by the NRC, including West Virginia, approval must first be obtained from the agency.

The firm, which no longer has a nuclear materials license from Pennsylvania, will have 30 days to provide a written response, which must include steps it has taken or plans to take to address the issue.