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## Radioactive Material License Enforcement: Tennessee Department of Environment and Conservation Order/Assessment of Civil Penalty Addressing Oak Ridge, Tennessee, Facility

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The Tennessee Department of Environment and Conservation ("TDEC") issued a March 5th Order and Assessment of Civil Penalty ("Order") to Environmental Dimensions, Inc., ("EDI") addressing alleged violations of a Radioactive Material License ("License"). See Division of Radiological Health Case No. DRH18-0004.

TDEC's duties and responsibilities include the administration and enforcement of the Tennessee Radiological Health Services Act.

The Division of Radiological Health ("Division") is stated to have issued License R-01103 to EDI on March 7, 2007. Such License is stated to enable EDI to possess radioactive material incident to storage, handling, decontamination, and radiological surveys for free release/unrestricted use of potentially contaminated equipment, containers and materials, characterization assessment of waste, packaging of waste within containers and laboratory testing of samples. The License is stated to have been reissued on January 1, 2017, with an expiration date of March 31, 2018.

The authorized place of storage (i.e., the facility) is stated to be in Oak Ridge, Tennessee.

The Division is stated to have conducted an inspection at the facility on April 25, 2018.

The inspection allegedly determined:

- The License had expired without a renewal application
- No one was present at the address specified in the License and the facility appeared to have been vacated

EDI is stated to have provided a response detailing corrective actions to correct the alleged violations. Nevertheless, the Order states that the response did not correct either of the violations nor did it provide actions that would be taken to prevent reoccurrence.

An additional inspection by the Division is stated to have been conducted on October 18, 2018. At the time of the second inspection the Order states that efforts to renew the expired License had not been successful.

The October 18, 2018, inspection also is stated to have indicated that certain milestones had not been met describing decon work, submission of survey, scoping survey, submission of Decon Plan, and conducting decon work.

EDI is stated to have provided a response on November 16, 2018, detailing the facility's disposition. This included a statement that EDI had no further interest in the radioactive waste management market and intended to lease or sell the facility to another party conducting work in the radioactive waste market, or decommission the facility and sell the property for some other industrial use. It is stated to have further proposed:

. . . that it would apply for a Radioactive Materials Storage License to allow the necessary time to pursue one of the aforementioned options.

EDI is stated to have failed to provide sufficient information to meet the minimum requirements for issuance of a License.

The Order proposes a civil penalty assessment of \$76,500. It also requires that the facility be decontaminated within nine months, sufficient to be free released to the public using the NRC-Multi-Agency Radiation Survey and Site Investigation or equivalent methodology. An alternative to the previously referenced requirement to decontaminate is provided.

The Order provides EDI certain appeal rights.

A copy of the Order can be found [here](#).