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# NRC NEWS

## U.S. NUCLEAR REGULATORY COMMISSION

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### **NRC PROPOSES \$7,500 FINE AGAINST CONNECTICUT COMPANY**

The Nuclear Regulatory Commission staff has proposed a \$7,500 civil penalty against Pepperidge Farm, Inc., of Norwalk, Conn., for violations associated with the loss of a device containing radioactive material.

The NRC staff conducted a special inspection on March 3 to review the circumstances associated with the loss of a moisture sensor device containing 36 millicuries of cesium-137. The State of Connecticut had notified the agency that the device was missing from a closed facility and believed to have been sent to a salvage yard with other material for recycling. At the salvage yard, the device would have been shredded, bailed and sent with other scrap metal to a metal processing company. Although searches were performed to locate the device, it was never found.

Following the NRC inspection, the NRC offered the company the opportunity to meet for an enforcement conference to discuss the apparent violations and discuss the company's corrective actions. The company declined the meeting, but responded in writing. The company's corrective actions, which are considered prompt and comprehensive, include conducting an inventory and searches for remaining equipment at its facilities, conducting searches of the salvage yard, alerting two metal processing companies of the potentially contaminated metal, and revising company procedures to include requirements for ensuring proper disposal of NRC licensed devices.

In a letter to the company, Region I Administrator, Hubert J. Miller said, "The NRC considers the failure to control licensed radioactive material to be a serious matter." He said, the violation is of concern to the NRC because "the failure to control the device resulted in the likely entry of radioactive material into the metal recycling process." But, because the device was apparently sent directly to the salvage yard and likely shredded, "the potential for a substantial radiation dose to individuals is considerably lower than if the device were lost intact."

Pepperidge Farm was cited and a fine proposed for failing to maintain control of the device containing radioactive material. The company was also cited for three other violations for which a fine was not assessed.

The company has 30 days from receipt of the letter to either pay the civil penalty or protest its imposition.

The notice to the company of the proposed fine and the notice of violation are available from the Region I Office of Public Affairs and on the NRC's web site at:  
<http://www.nrc.gov/what-we-do/regulatory/enforcement/current.html#materials>

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