

United States Nuclear Regulatory Commission
Office of Public Affairs, Region I
475 Allendale Road King of Prussia, PA 19401
Phone: 610/337-5330 Fax: 610/337-5241
Internet: dps@nrc.gov or nas@nrc.gov

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NRC CITES BREITLING USA, INC., FOR WILLFUL VIOLATIONS OF
AGENCY REQUIREMENTS, PROPOSES \$26,400 FINE

The Nuclear Regulatory Commission has proposed a \$26,400 fine against Breitling USA, Inc., for willful violations of NRC requirements involving the possession, use and distribution of watches containing NRC-licensed material without having NRC licenses authorizing such activities.

Located in Stamford, Conn., the company receives shipments of watches containing tritium from its parent company in Switzerland, attaches the watchbands and sends the watches to jewelry stores for sale. The stores also return watches to the Stamford facility for repair.

On March 10, the NRC conducted an inspection at the Connecticut facility. The violations concern the distribution since 1989 of more than 70,000 wristwatches containing small amounts of tritium, a radioactive material, without an NRC license, and the repair of watches since 1990 without an NRC license authorizing possession. The company has since applied for and received the appropriate NRC licenses.

The watches pose no hazard to the public or their owners. Small amounts of tritium are safely used in many timepieces, but the NRC requires distributors to obtain a license from the agency to use the material.

In a letter to the company forwarding the notice of violation, NRC Region I Administrator Hubert J. Miller said the agency was concerned that for an extended period of time the company had "bypassed the regulatory framework." Because of that, Mr. Miller said, the NRC was unable to conduct inspections to determine whether methods and controls the company established were in accordance with the terms and conditions of an NRC license. "In fact, during the inspection, the NRC identified

contamination at your facility, although the amount of contamination was low and was subsequently cleaned," the administrator said.

The NRC is also concerned that the company had indications since early 1997 that it needed an NRC license, but no action was taken until after the agency's inspection. Said Mr. Miller: "The failure to act sooner to either obtain an NRC license, or contact the NRC to determine if a license was needed, constitutes, at a minimum, careless disregard of NRC requirements. ..."

Mr. Miller told the company that NRC set the amount of the fine at \$26,400 considering: 1) the regulatory significance, including the NRC's inability to conduct inspections for nine years; 2) the company's saving the cost of an NRC license for nearly a decade; and 3) the company's failure for economic reasons to contact the agency promptly once it learned that it likely needed a license.

In addition, the NRC has issued a "demand for information" requiring the company to inform the agency as to why its licenses should not be revoked and why the NRC should believe the firm will comply with NRC requirements in the future.

The company has 30 days to pay the proposed fine or to request in writing that all or part of it be withdrawn.

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