

December 13, 2000

Lonnie Ekeren
Body Shop Manager
Mid-America Peterbilt
#1 North Central Drive
O'Fallon, MO 63366

SUBJECT: NRC REVIEW OF A LOST RADIOACTIVE SOURCE

Dear Mr. Ekeren:

This refers to your letters dated October 17, 2000 and November 28, 2000, as well as Christy Paquin's letter to you dated November 27, 2000 regarding loss of a static elimination device containing polonium-210 in September 2000.

Based on the information in your letters, the NRC has determined that a violation of 10 CFR 31.5 occurred. However, the NRC's Interim Enforcement Policy for Generally-Licensed Devices Containing Byproduct Material states that, enforcement action normally will not be taken for violations of 10 CFR 31.5, if the violations are identified by the general licensee, reported to the NRC if reporting is required, and if the general licensee takes appropriate corrective action to address the specific violations and prevent recurrence of similar problems. NRC concluded that Mid-America Peterbilt identified that the source was missing, notified NRC of the loss in a timely manner, and implemented appropriate corrective actions. Therefore, in accordance with the interim policy, the NRC is not taking enforcement action in this case.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available **electronically** for public inspection in the NRC Public Document Room **or** from the *Publicly Available Records (PARS) component of NRC's document system (ADAMS)*. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Should you have any questions concerning this letter, please contact Robert G. Gattone, Jr., of my staff at 630-829-9823.

Sincerely,

/RA/

Geoffrey C. Wright, Chief
Materials Inspection Branch

Docket No. 99990003
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bcc: PUBLIC IE-07

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