

## Region I NMSS Licensee Event Report

|                   |                                 |
|-------------------|---------------------------------|
| Licensee          | <i>Peppridge Farm</i>           |
| Event Description | LOSS/THEFT OF LICENSED MATERIAL |

|            |                |             |              |         |                  |
|------------|----------------|-------------|--------------|---------|------------------|
| License #  | <i>Gen Lic</i> | Docket #    | <i>99999</i> | MLER-RI | 2004- <i>015</i> |
| Event Date | wk of 9/27/03  | Report Date | 1/22/04      |         |                  |

1. REPORTING REQUIREMENT

|  |   |
|--|---|
| <input checked="" type="checkbox"/> 10 CFR 20.2201 Theft or Loss<br><input checked="" type="checkbox"/> 10 CFR 20.2203 30 Day Report<br><input type="checkbox"/> 10 CFR 30.50 Report<br><input checked="" type="checkbox"/> Other <u>10 CFR 31.5</u> | <input type="checkbox"/> 10 CFR 35.33 Misadministration<br><input type="checkbox"/> License Condition |
|--|---|

2. REGION I RESPONSE

|   |   |                |                           |                |  |                |  |
|---|---|----------------|---------------------------|----------------|--|----------------|--|
| <input type="checkbox"/> Immediate Site Inspection<br><input checked="" type="checkbox"/> Special Inspection<br><input checked="" type="checkbox"/> Telephone Inquiry<br><input type="checkbox"/> Preliminary Report<br><input checked="" type="checkbox"/> Information Entered in RI Log<br><input type="checkbox"/> Report referred to: _____ | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Inspector/Date</td> <td style="padding: 5px;"><i>Janda / March 2004</i></td> </tr> <tr> <td>Inspector/Date</td> <td></td> </tr> <tr> <td>Inspector/Date</td> <td></td> </tr> </table> <input type="checkbox"/> Daily Report<br><input type="checkbox"/> Review at next inspection | Inspector/Date | <i>Janda / March 2004</i> | Inspector/Date |  | Inspector/Date |  |
| Inspector/Date  | <i>Janda / March 2004</i>   |                |                           |                |  |                |  |
| Inspector/Date  |   |                |                           |                |  |                |  |
| Inspector/Date  |   |                |                           |                |  |                |  |

3. REPORT EVALUATION

|  |  |
|--|--|
| <input checked="" type="checkbox"/> Description of Event<br><input checked="" type="checkbox"/> Levels of RAM Involved<br><input checked="" type="checkbox"/> Cause of Event | <input checked="" type="checkbox"/> Corrective Actions<br><input checked="" type="checkbox"/> Calculations Adequate<br><input type="checkbox"/> Additional Information Requested from Licensee |
|--|--|

4. SPECIAL INSTRUCTIONS OR COMMENTS

|   |   |
|---|---|
| <p>Public <input checked="" type="checkbox"/> Non-Public</p> <p>Completed by: <span style="border: 1px solid black; padding: 5px; display: inline-block;"><i>nmj / 2/24/2004</i></span> Date</p> <p>Reviewed by: <span style="border: 1px solid black; padding: 5px; display: inline-block;"><i>E Ullrich</i></span> Date</p> | <p>Initials/Date</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> <p>Initials/Date</p> <div style="border: 1px solid black; padding: 5px; display: inline-block;"><i>nmj 2/24/04</i></div> |
|---|---|



RECEIVED  
REGION 1

'04 FEB 10 P1 :47

**“PRIVILEGED AND CONFIDENTIAL”**

February 9, 2004

Mr. Hubert Miller  
Region Administrator  
US NRC Region I  
475 Allendale Road  
King of Prussia, PA 19406

Dear Mr. Miller,

This letter is being submitted in compliance with regulation **10 CFR 20.2201 Reports of theft or loss of licensed material section b.**

**(i) A description of the licensed material involved, including kind, quantity, and chemical and physical form;**

The licensed unit was a K-Ray model 7107 in-line chute moisture measurement system, operated under license NRC 298923. The system contains a source to generate gamma rays used in computerized density calculations. The source was 50 mCi of Cesium 137 when purchased in 1982. It has been estimated that the current content is only 25 mCi due to the natural radiation process.

**(ii) A description of the circumstances under which the loss or theft occurred;**

The Pepperidge Farm Norwalk Connecticut Bakery had fully shut down its production operation on July 31, 2003. Equipment from various production areas was transferred to other existing operating plants. Any equipment not being transferred was to be sold through our asset recovery broker to used equipment dealers. Any equipment remaining was to be scrapped to LaJoie's Auto Salvage in Norwalk, CT.

A letter received from the State of Connecticut, Department of Environmental Protection dated December 12, 2003 by Ms. Maria Fernandez was forwarded to the writer. The letter called for the renewal of the Norwalk Plant's moisture analyzer registration. Upon confirmation that the unit was not transferred to any operating plants, a call was placed to our equipment broker who contacted any likely buyers of equipment from that area. An extensive search was performed of the remaining Norwalk Plant equipment not yet removed. Daily time slips of the riggers removing the equipment revealed that the moisture analyzer was removed and scrapped to LaJoie's Auto Salvage the week of September 27, 2003.

**(iii) A statement of disposition, or probable disposition, of the licensed material involved;**

Upon leaving the Norwalk Bakery as scrap, the unit was sent to LaJoie's Salvage. It would have been shredded, bailed and sent to either one of two metal processing companies. They are Metal Management, New Haven, CT and Hugo Neu Schnitzer East, Jersey City, NJ. Both LaJoie's Salvage and the Connecticut Department of Environmental Protection have notified these companies regarding the missing material.

**(iv) Exposure of individuals to radiation, circumstances under which the exposure occurred, and the possible total effective dose equivalent to persons in unrestricted areas;**

The source was encased in a K-Ray manufactured double encapsulated sealed containment. Thermo MeasureTech performed a test on this unit on August 6, 2002. The results (copy attached) were negative  $<2.0E-4$  uCi. The unit was not being used by the plant during production since 1992. It was shuttered closed. The shutter would have stayed closed during the removal and transporting to the scrap yard. The scrap yards procedure is to mechanically shred its scrap metal without human intervention. The shredders' effect on the encapsulated container would be to form a lead ball from the friction of the shredding process. Any inner source material would have been re-encapsulated in the melted lead. Exposure to individuals would have been negligible.

**(v) Actions that have been taken, or will be taken, to recover the material;**

Time Line

| # | DATE     | EVENT  | AGENCY           | PERSONNEL  | LOC.             |
|---|----------|--|------------------|--|------------------|
| 1 | 9/18/03  | Equipment removed from Norwalk 2 <sup>nd</sup> floor dry area to 1 <sup>st</sup> floor.                | K&K Millwrights  | K&K Millwrights  | Norwalk Plant    |
| 2 | 9/23/03  | Equipment removed from plant and placed in LaJoie's scrap containers                                   | K&K Millwrights  | K&K Millwrights  | Norwalk Plant    |
| 3 | 9/24/03  | Scrap picked up by LaJoie's Auto Salvage   | LaJoie's Salvage | James Murphy   | LaJoie's Salvage |
| 4 | 12/12/03 | Letter sent from CT-DEP to Maria Fernandez invoicing the plant for it's NRC license.                   | CT-DEP           |  | Norwalk Plant    |
| 5 | 1/13/04  | Called Maria Fernandez confirming the moisture analyzer was not sent to any existing operating plants. | Pepperidge Farm  | Maria Fernandez, Tom Rieth                                 | Bloomfield Plant |
| 6 | 1/14/04  | Phone call to Drew Karol Industries confirming that the hopper was not sold.                           | Drew Karol Ind.  | Andy Mizlowski   | Norwalk Plant    |
| 7 | 1/14/04  | Performed an on-site inspection of LaJoie's Auto Salvage yard looking for missing analyzer             | LaJoie's Salvage | James Murphy<br>203.854.0767,<br>Tom Rieth<br>203.846.7471 | LaJoie's Salvage |

|    |         |   |                           |  |                                   |
|----|---------|---|---------------------------|--|-----------------------------------|
| 8  | 1/15/04 | Call to CT-DEP informing them of missing analyzer.  | CT-DEP                    | Andrew Zwick,<br>860.424.3535  | Hartford , CT                     |
| 9  | 1/20/04 | Called from CT-DEP asking us to recheck salvage yard and provide more details on event.   | CT-DEP                    | Andrew Zwick,<br>860.424.3535  | Hartford , CT                     |
| 10 | 1/20/04 | Asked salvage inspector with geiger counter to come up from Pennsylvania, PA on 1/22/04   | Health Physics Associates | Tony Lamastra<br>610.756.4153  | Lionsville, PA                    |
| 11 | 1/21/04 | Visit from CT-DEP, two inspectors with geiger counters to help inspect salvage yard. Nothing was found.   | CT-DEP, LaJoie's Salvage  | Mike Firsick<br>860.424.3517,<br>Fred Scheuritzel<br>860.424.3530<br>James Murphy<br>203.854.0767<br>Tom Rieth<br>203.846.7471 | LaJoie's Salvage                  |
| 12 | 1/21/04 | Cancelled Health Physics Associates inspector. CT-DEP sent their own health physics inspectors to examine the scrap yard a day earlier than the HPA inspector was scheduled to arrive.  | Health Physics Associates | Tony Lamastra<br>610.756.4153  | Lionsville, PA                    |
| 13 | 1/22/04 | Visit from CT-DEP inspector looking at the Norwalk facility and checking on the status of the device's leak testing reports. All records were in order. A survey of the closed plant by geiger counter revealed no radioactive sources present. | CT-DEP                    | Fred Scheuritzel<br>860.424.3530,<br>Tom Rieth<br>203.846.7471   | Norwalk Plant & Corp.             |
| 14 | 1/22/04 | Conversation with the NRC on the missing unit. Filled in all the details requested by phone in accordance with regulation, 10 CFR 20.2201 Reports of theft or loss of licensed material.  | NRC                       | Donna Janda<br>NRC Health Physicist<br>610.337.5371<br>Tom Rieth<br>203.846.7471   | NRC, Region I King of Prussia, PA |
| 15 | 1/23/04 | Performed an additional on-site inspection of LaJoie's Auto Salvage yard looking for missing analyzer. Brought color pictures of the unit and showed to employees.  | LaJoie's Salvage          | James Murphy<br>203.854.0767<br>Tom Rieth<br>203.846.7471  | LaJoie's Salvage                  |

|    |         |   |                 |  |               |
|----|---------|---|-----------------|--|---------------|
| 16 | 1/27/04 | Trailers of used equipment purchased by vendors but still on-site opened and inspected for analyzer. Nothing was found. | Pepperidge Farm | Tom Rieth<br>203.846.7471,<br>Wayne Pelzer | Norwalk Plant |
| 17 | 3/1/04  | Follow up phone call to the two possible metal processing companies, inquiring about missing material status.           | Pepperidge Farm | Tom Rieth<br>203.846.7471                  | Norwalk Corp. |

**(vi) Procedures or measures that have been, or will be adopted to ensure against a recurrence of the loss or theft of the licensed material.**

The environmental section of the Campbell Soup Company Plant Closing Procedures will be amended to include the following:

9. An examination is to be made into any existing NRC licenses for the facility. All devices containing nuclear sources are to be decommissioned by a properly licensed firm and disposed of in a manner acceptable to all current NRC regulations.

Any questions remaining or clarifications required regarding this letter, feel free to phone the writer at (203) 846-7471.



Thomas E. Rieth  
Manager Infrastructure & Environmental Engineering  
Pepperidge Farm, Inc.

Cc: Michael Firsick, CTDEP  
Frederick Scheuritzel, Jr., CTDEP  
Robert Shober, Campbell Soup Company  
Dave Watson, Pepperidge Farm  
Carlos Pena, Pepperidge Farm  
Faith Greenfield Campbell Soup Company



RECEIVED  
REGION I

'04 FEB 11 P1 :33

February 10, 2004

Mr. Hubert Miller  
Region Administrator  
US NRC Region I  
475 Allendale Road  
King of Prussia, PA 19406

Dear Mr. Miller,

Enclosed please find submitted a copy of the test performed by Thermo MeasureTech on August 6, 2002. The letter sent to you on February 9, 2004 referenced this test in part (iv). It was inadvertently left out of the original mailing. I apologize and am including the copy with this letter.

Any questions remaining or clarifications required regarding this test or the previous letter, feel free to phone me (203) 846-7471.

Thomas E. Rieth  
Manager Infrastructure & Environmental Engineering  
Pepperidge Farm, Inc.

# Thermo MeasureTech

2555 North IH-35  
Round Rock, TX 78664

*TN Technologies + Kay Ray + Sensall*

(512) 388-9100  
(800) 736-0801  
Fax: (512) 388-9200  
[www.thermomeasuretech.com](http://www.thermomeasuretech.com)

August 6, 2002

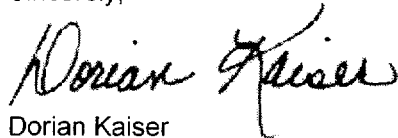
Maria Fernandez  
PEPPERIDGE FARMS INC  
595 West Port Ave.  
Norwalk, CT 06851

Dear Maria Fernandez,

I am enclosing the results from your recent leak tests. Please keep these certificates in a permanent file for inspection by the regulatory agency.

Thank you for using Thermo MeasureTech's leak test service. If we can be of further assistance, please call us at 800-736-0801 or send email to [leaktest@thermoMT.com](mailto:leaktest@thermoMT.com).

Sincerely,



Dorian Kaiser  
Health Physics Technician

# Thermo MeasureTech

TN Technologies + Kay Ray + Sensall

2555 North IH-35  
Round Rock, TX 78664

(512) 388-9100  
(800) 736-0801  
Fax: (512) 388-9200  
www.thermomeasuretech.com

## LEAK TEST CERTIFICATION

This is to certify that the product identified below was tested for removable contamination in accordance with Texas Radioactive Material License Number L03524, Condition 19 (Expiration: 12-31-2003).

Customer: 1050800  
PEPPERIDGE FARMS INC  
595 West Port Ave.  
Norwalk, CT 06851

Product: KAY-RAY/SENSALL

Model: 7107 Serial No.: 7107-12

Isotope: Cs-137 Activity: 5 mCi

Source Serial: N/A13910

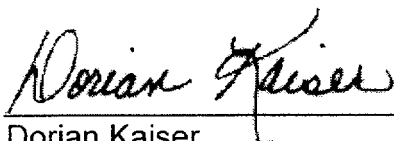
Location: Dry make up line 5 Acc. Hopper

Test Type: Lab Counting

Result:  Positive  Negative < 2.0E-4 uCi

Analyzed on: August 06, 2002

This certificate should be maintained as a permanent record of the leak test of this product.



Dorian Kaiser  
Health Physics Technician