March 23, 2007

EA-07-057
NMED No. 070009

Frederick B. Entwistle, Manager
Corporate Health Physics
3M Company
3M Corporate Health Physics
3M Center, Bldg. 220-3W-06
P.O. Box 33283
St. Paul, MN 55133-3283

SUBJECT: NRC REVIEW OF REPORT FROM 3M REGARDING LOST TRITIUM EXIT SIGN AND NON-CITED VIOLATION

Dear Mr. Entwistle:

This refers to your report dated February 1, 2007, and received by the NRC on February 5, 2007, regarding the loss of a tritium exit sign from your facility in Brookings, South Dakota. The exit sign contained 12.3 curies of tritium at the time of the loss. Your report indicated that the exit sign was last inventoried in July 2006, and you confirmed that it was lost or stolen between that date and January 2007.

Based on our review of your report, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation concerns the failure to properly transfer or dispose of a generally-licensed device to a person or persons that are authorized to receive the device in accordance with 10 CFR 31.5(c)(8). This violation is being treated as a Non-Cited Violation (NCV), consistent with Section VI.A of the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at http://www.nrc.gov.

If you contest the violation or significance of the NCV, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to the Regional Administrator, Region III, and the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Sincerely,

/RA by K. Lambert Acting for/

John R. Madera, Chief
Materials Inspection Branch

Docket No. 99990003
General License: 10 CFR 31.5

cc: State of South Dakota
State of Minnesota

DISTRIBUTION:
See next page

DOCUMENT NAME:C:\FileNet\ML070820452.wpd
X Publicly Available ☐ Non-Publicly Available ☐ Sensitive X Non-Sensitive
To receive a copy of this document, indicate in the concurrence box "C" = Copy without attach/encl "E" = Copy with attach/encl "N" = No copy

OFFICE	RIII:DNMS		RIII:EICS		RIII:DNMS		RIII	
NAME	GMWarren:mb		GLShear		JRMadera			
DATE	03/23/07		03/23/07		03/23/07			

OFFICIAL RECORD COPY

Letter to Frederick B. Entwistle from John R. Madera dated March 23, 2007

SUBJECT: NRC REVIEW OF REPORT FROM 3M REGARDING LOST TRITIUM EXIT SIGN AND NON-CITED VIOLATION

DISTRIBUTION:
Docket File
ADAMS (PARS)
SECY
OCA
L. Reyes, EDO
M. Virgilio, DEDMRS
C. Carpenter, OE
D. Solorio, OE
S. Merchant, OE
L. Sreenivas, OE
J. Caldwell, RIII
G. Grant, RIII
L. Chandler, OGC
B. Jones, OGC
R. Barnes, Enforcement Contact, NSIR
C. Miller, FSME
G. Morell, FSME
E. Brenner, OPA
H. Bell, OIG
D. Holody, RI
C. Evans, RII
K. Fuller, RIV
S. Reynolds, RIII
T. Reis, RIII
J. Madera, RIII
G. Shear, RIII
RIII:PA
R. Lickus, RIII
S. Minnick, RIII
J. Lynch, RIII
C. Weil, RIII
OEWEB
OEMAIL