

NOTICE OF VIOLATION

Del Monte Corporation  
Plover, Wisconsin 54467

General Licensee

As a result of the inspection conducted on August 27 - 28, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1989) (Enforcement Policy) the following violation was identified:

10 CFR 31.5(c)(8) requires that any person who acquires, receives, possesses, uses, or transfers byproduct material in a device pursuant to the general license in paragraph (a) of this section, transfer or dispose of the device only by transfer to a person holding a specific license to receive the device.

Contrary to the above, byproduct material was not disposed of by transfer to persons holding a specific license. Specifically, on or about June 18, 1990, a nominal 75 microcurie promethium-147 source was lost and is believed to have been disposed of in the area landfill.

This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

9-20-90  
Dated \_\_\_\_\_

*Wagner J. Flannery for*  
George M. McCann, Chief  
Nuclear Materials Safety  
Section 1