

May 7, 1985
EN 85-37

OFFICE OF INSPECTION AND ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: American Can Company, Greenwich, CT
General License (10 CFR 31.5)

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$500

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Five Hundred Dollars (\$500) will be issued on or about May 10, 1985 to American Can Company. This action is based on the unauthorized removal of radioactive material (NDC Systems Model 103 RHL nuclear gauge) from an unrestricted area. The licensee presumes the nuclear gauge was lost or stolen.

It should be noted that the licensee has not been specifically informed of the enforcement action. The Regional Administrator has been authorized by the Director, Office of Inspection and Enforcement, to sign this action. The schedule of issuance and notification is:

Mailing of Notice	May 10, 1985
Telephone Notification of Licensee	May 10, 1985

A news release has been prepared and will be issued about the time the licensee receives the Notice. The State of Connecticut will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: G. Klingler, IE 24923

J. Axelrad, IE 24909

Distribution:

H Street <u>3:22</u>	MNBB <u>3:25</u>	Phillips <u>3:28</u>	EW _____	Willste <u>3:30</u>
Chairman Palladino	EDO	NRR	IE _____	NMSS
Comm. Roberts	DED/ROGR		OIA	RES
Comm. Asselstine	PA		OI	
Comm. Bernthal	ELD		AEOD	
Comm. Zech	RM			
ACRS				
SECY	Air Rights <u>3:32</u>	Regional Offices	MAIL	
CA	SP	RI <u>3:24</u> RIV <u>3:35</u>	ADM: Doc. Mgt. Br.	
PE		RII <u>3:33</u> RV <u>3:37</u>	PDR	
		RIII <u>3:20</u>		

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL MAY 10, 1985.

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PDR I&E
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