

April 11, 2001

Robert E. Owen, Ph.D.
Vice President
Cooper Power Systems
11131 Adams Road
Franksville, WI 53126

SUBJECT: NRC REVIEW OF REPORT OF LOST GAS CHROMATOGRAPHY SOURCE

Dear Dr. Owen:

This refers to your letter dated March 14, 2001, regarding the loss of a nominal 15 millicurie nickel-63 gas chromatography source (Serial No. 1648). We have completed our review and have determined that violations of 10 CFR 31.5 occurred when you failed to leak test the source every 6 months and lost control of the source some time between October 14, 1992 and January 18, 2001.

Although violations of 10 CFR 31.5 were identified and because Cooper Power Systems' actions were not willful, it identified and reported the violations to the NRC, and it took appropriate corrective action to address the violations and prevent recurrence of similar problems, we are exercising enforcement discretion in accordance with the Interim Enforcement Policy for Generally Licensed Devices (Enforcement Manual, Section 8.6, (May 1, 2000; 65 FR 25368)), and not issuing any enforcement action for this violation. However, any future violations of 10 CFR 31.5 may be considered for enforcement action.

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).

Sincerely,

/RA/

Geoffrey C. Wright, Chief
Materials Inspection Branch

Docket No. 9990003
General Licensee 10 CFR 31.5

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