

February 25, 2002

Charles Chapman, CIH
Corporate Radiation Safety Officer
Stora Enso North America Corporation
231 First Avenue North
P.O. Box 8050
Wisconsin Rapids, WI 54495-8050

SUBJECT: NRC REVIEW OF REPORT OF LOST HYDROGEN-3 EXIT SIGN

Dear Mr. Chapman:

This refers to your letter dated February 14, 2002, regarding the loss of an LE 201 exit sign containing 10,500 curies of hydrogen-3. We have completed our review and have determined that a violation of 10 CFR 31.5 occurred when you lost control of the source sometime during 2001.

Although a violation of 10 CFR 31.5 was identified, since, your actions were not willful, and because you identified and reported the violation to the NRC, and took appropriate corrective action to address the violation and prevent recurrence of similar problems, we are exercising enforcement discretion in accordance with the Interim Enforcement Policy for Generally Licensed Devices (May 1, 2000; 65FR 25368). Therefore, we are 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).

We will gladly discuss any questions you have concerning this matter.

Sincerely,

/RA/

Gary L. Shear, Chief
Materials Inspection Branch

Docket No. 99990003
General Licensee 10 CFR 31

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