

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

DelMonte Corporation
P. O. Box 9004
Walnut Creek, CA

General Licensee
(10 CFR 31.5)
EA 85-124

As a result of a special safety inspection conducted at the DelMonte Corporation in Plymouth, Indiana during the period September 25 through October 10, 1985, several violations of NRC requirements were identified.

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985), the Nuclear Regulatory Commission proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

I. VIOLATIONS ASSESSED A CIVIL PENALTY

- A. 10 CFR 31.5(c)(8) requires that a general licensee shall dispose of the device containing byproduct material only by transfer to persons holding a specific license pursuant to 10 CFR Parts 30 and 32 or from an Agreement State to receive the device.

Contrary to the above, a generally licensed device containing byproduct material was improperly disposed of in July or August 1985 when the licensee discarded the gauge as scrap metal to a non-licensee.

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

Civil Penalty - \$500

II. VIOLATION NOT ASSESSED CIVIL PENALTY

- A. 10 CFR 31.5(c)(3) requires that the removal from installation of a generally licensed device containing radioactive material shall be performed in accordance with instructions provided by the label or by a person holding a specific license pursuant to 10 CFR Parts 30 and 32 or from an Agreement State to perform such activities.

Contrary to the above, a generally licensed Filtec gauge, S/N 105-150 containing 100 millicuries of americium-241 was removed from installation in May 1980 by individuals not authorized to perform such activities as provided by the label or by a person holding a specific license pursuant to Parts 30 and 32 or from an agreement State.

- B. 10 CFR 31.5(c)(2) requires any person who acquires, receives, possesses or uses byproduct material in a device pursuant to a general license shall assure that the device is tested for leakage of radioactive material at no longer than six month intervals.

Contrary to the above, the licensee did not have leak tests performed by an authorized person at the required intervals. Specifically, Filtec gauge S/N 105-150 containing 100 millicuries of americium-241 was not tested for leakage between May 10, 1980 and September 23, 1985.

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

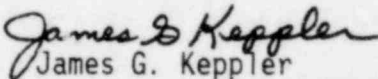
Pursuant to the provisions of 10 CFR 2.201, DelMonte Corporation is hereby required to submit to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, IL 60137 within 30 days of the date of this Notice a written statement of explanation, including for each alleged violation: (1) admission or denial of the alleged violation; (2) the reasons for the violation if admitted; (3) the corrective steps that have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, the Director, Office of Inspection and Enforcement, may issue an order to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown. Under the authority of section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, DelMonte Corporation may pay the civil penalty by letter addressed to the Director, Office of Inspection and Enforcement, with a check, draft, or money order payable to the Treasurer of the United States in the cumulative amount of Five Hundred Dollars (\$500) or may protest imposition of the civil penalty in whole or in part by a written answer addressed to the Director, Office of Inspection and Enforcement. Should DelMonte Corporation fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalty in the amount proposed above. Should DelMonte Corporation elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, such answer may: (1) deny the violation listed in this Notice in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the five factors addressed in Section V.B of 10 CFR Part 2, Appendix C should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201 but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. DelMonte Corporation's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing civil penalties.

Upon failure to pay any civil penalties due which has been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION


James G. Keppler
Regional Administrator

Dated at Glen Ellyn, Illinois
this 3RD day of December 1985

U. S. NUCLEAR REGULATORY COMMISSION

REGION III

Report No. 999-90003/85-110(DRSS)

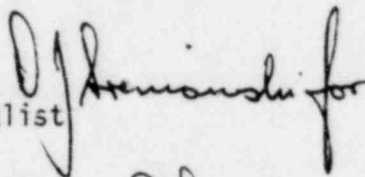
Docket No. 999-90003

Licensee: DelMonte Corporation
One Market Plaza
San Francisco, CA 94119

Inspection Conducted: September 25 through October 10, 1985

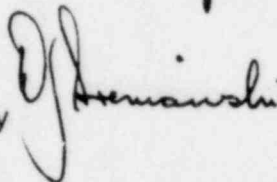
Onsite Inspection Conducted On: October 3, 1985
Located At: DelMonte Corporation
506 W. North Street
Plymouth, Indiana

Inspector: T. L. Simmons
Radiation Specialist



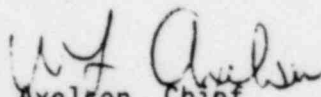
10/29/85
Date

Reviewed By: D. J. Sreniawski, Chief
Nuclear Materials Safety
Section 2



10/29/85
Date

Approved By: W. L. Axelson, Chief
Nuclear Materials Safety
and Safeguards Branch



10/21/85
Date

Inspection Summary

Inspection on September 25 through October 10, 1985

(Report No. 999-90003/85-110(DRSS))

Areas Inspected: Special safety inspection of the circumstances involving a gauge containing radioactive material retrieved from a scrap yard. This inspection included a review of records, letters and documents, and interviews with individuals involved. The inspection involved a total of 21 hours by one NRC inspector.

Results: Three violations were identified: (1) 10 CFR 31.5(c)(2) - failure to perform leak tests at required intervals (Section 3); (2) 10 CFR 31.5(c)(3) - removal from installation by unauthorized individuals (Section 3); (3) 10 CFR 31.5(c)(8) - unauthorized disposal of byproduct material (Section 3).

~~9511040383~~

DETAILS

1. Persons Contacted

F. Calhoun, President, Industrial Dynamics Co. Ltd., Torrence, California
R. Ohms, Foreman, Milupa Corporation, East Troy, Wisconsin
R. Filter, Plant Manager, Milupa Corporation, East Troy, Wisconsin
J. Newton, QA Manager, DelMonte Corporation, Dayton, New Jersey
*K. Peacock, Plant Manager, DelMonte Corporation, Plymouth, Indiana
*D. Stevenson, Engineer, DelMonte Corporation, Plymouth, Indiana
P. Martin, DelMonte Corporation, Plymouth, Indiana
M. Morris, Manager, Franklin Scrap Yard, Plymouth, Indiana
J. VanKirk, Driver, Franklin Scrap Yard, Plymouth, Indiana
B. Mervis, Manager, Mervis and Sons Scrap Yard, Kokomo, Indiana
C. Holderead, Director, Civil Defense Office, Marshall County, Indiana
R. Hudson, Civil Defense Office, Indianapolis, Indiana
H. Stocks, Indiana State Board of Health
W. Spain, Director, Corporate Quality Assurance and
Regulatory Affairs

*Present at exit interview (via telephone).

2. Purpose of Inspection

This was a special inspection to review the circumstances surrounding an americium-241 gauge found in a scrap yard. This incident was reported to NRC Region III by the Indiana State Board of Health on September 25, 1985.

3. Inspection Findings

A 100 millicurie americium-241 gauge was discovered at a Kokomo, Indiana scrap yard on or about September 19, 1985. The gauge was part of a load of scrap sent there for cutting by the Franklin Scrap Yard of Plymouth, Indiana. The gauge was returned to Plymouth by a Franklin Scrap Yard driver on September 20, 1985 because it was labeled "radioactive material." Yard personnel notified the local Civil Defense Office the following Monday (September 23). Civil Defense personnel, upon confirming that the device was radioactive, transported it to the Indiana State Board of Health (see Attachment A - Civil Defense report). Indiana State Board of Health (ISBH) personnel performed a leak test, a radiation survey, and photographed the device (see Attachment B - ISBH memo and photos). No leakage was detected. They also arranged to ship the device to the manufacturer. Upon receipt, the manufacturer verified the integrity of the source (see Attachment C - leak test results).

It was determined by device and source serial numbers that the gauge was purchased from Industrial Dynamic Company, Ltd. of Torrence, California by RJR Foods of Winston-Salem, North Carolina in 1979. The device was installed by the manufacturer in a plant located in East Troy, Wisconsin (see Attachments D and E).

The gauge was removed from installation sometime after March 8, 1980 by RJR Foods/DelMonte personnel and placed into storage at its Dayton, New Jersey plant (see Attachment F). Removal of a generally licensed nuclear gauge from installation by a general licensee is in violation of 10 CFR 31.5(c)(3), which states that the removal from installation of a generally licensed device containing radioactive material shall be performed by a person holding a specific license or an Agreement State licensee to perform such activities.

At some time after October 1980 the gauge, along with other surplus equipment, was transferred to the DelMonte plant in Plymouth, Indiana where it was placed in storage. In August 1985, DelMonte personnel discarded the gauge as scrap which was sold to Franklin Scrap Yard. Disposal of licensed material in this manner is a violation of 10 CFR 31.5(c)(8), which states that a general licensee shall dispose of the device containing byproduct material only by transfer to persons holding a specific license or an Agreement State to receive the device.

In addition, the last leak test of the gauge was performed in March 1980 by the manufacturer. No leak tests were performed while the gauge was in storage. Failure to perform six month leak tests is a violation of 10 CFR 31.5(c)(2), which states any person who acquires, receives, possesses or uses by-product material in a device pursuant to a general license shall assure that the device is tested for leakage of radioactive material at no longer than six month intervals.

Three violations were identified.

4. Exposure Estimate

The only person determined to be in proximity of the gauge was the driver who transported the device from Kokomo, Indiana to Plymouth, Indiana. The driver stated that the trip took about 1-1/2 hours and that the gauge was on the front seat, four feet away from him. It is not known whether the device was in the on or off position at this time. However, the device was in the on position when confiscated by the ISBH. Accordingly, assuming that the device was in the on position, the following exposure estimates were made based on the Indiana State Board of Health's radiation survey:

The source is 0.8 inches from the surface of the device.

The radiation level was 200 mR/hr at the surface of the device.

The exposure rate (E) calculated for a distance of 4 ft. would be:

$$E = 200 \text{ mR/hr} \frac{(0.8'')^2}{(48'')^2} = 0.06 \text{ mR/hr}$$

The dose (D) to the truck driver would be:
D = 0.06 mR/hr @ 4 ft. x 1-1/2 hrs.
D = 0.08 mR @ 4 ft.

Worst Case: device 2 feet from driver
D = 0.33 mR @ 2 ft.

In both cases, driver at 4 ft. or at 2 ft., would have resulted in a dose to the driver of less than 0.5 mR which represents no significant health hazard.

5. Exit Interview

On October 3, 1985, the inspector met with those individuals denoted in Section 1 of this report. The discussion included a review of the incident, the licensee's corrective measures taken, and potential NRC enforcement action. This matter was also discussed with Mr. W. Spain, Director, Corporate Quality Assurance and Regulatory Affairs on October 4, 1985. Mr. Spain submitted, in a letter dated October 7, 1985 (see Appendix 3), further corrective measures to be taken by DelMonte.

6. Enforcement Conference

An Enforcement Conference was held by telephone on October 21, 1985 to discuss the findings of an NRC special safety inspection conducted on September 25 through October 10, 1985. The conference was conducted between Messrs. Spain and Fish of DelMonte's staff, and Mr. J. A. Hind and members of the NRC Region III staff. The purpose of the conference was to (1) discuss the apparent violations, their significance and causes, and the licensee's corrective actions; (2) determine whether there were any aggravating or mitigating circumstances, and (3) obtain other information which could help determine the appropriate enforcement action.

Mr. J. A. Hind, Director, Division of Radiological Safety and Safeguards, opened the conference by describing the purpose and scope of the meeting as well as the NRC enforcement policy and concerns raised as a result of the September 25 through October 10, 1985 inspection.

The apparent violations were reviewed with the licensee. The licensee representatives were not in disagreement with the facts as stated. The licensee representatives were informed that the unauthorized removal and disposal of the gauge could represent a Severity Level III violation pursuant to NRC policy.

Attachments:

- A. Civil Defense Report
- B. Indiana State Board of
Health Memo and
Photographs of Device
- C. Industrial Dynamics Co.
Ltd. Leak Test Results
- D. Industrial Dynamics Co.
Ltd. Shipping Record
- E. Industrial Dynamics Co.
Ltd. Service Record
- F. Correspondence/Milupa
and RJR Foods

Appendix:

- 1. Chronology of Events
Concerning Filter Gauge
- 2. Sample Package Sent to
General Licensees by
Industrial Dynamics
- 3. DelMonte Corporation
Letter dated 10/03/85

STATE OF INDIANA



INDIANAPOLIS, 46204

DEPARTMENT OF CIVIL DEFENSE
90 STATE OFFICE BUILDING
100 NORTH SENATE AVENUE

TELEPHONE: (317) 232-3830

October 9, 1985

Ms. Toye Simmons
Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, IL 60137

RE: Radioactive Source Investigation
Plymouth, Indiana 9/23/85

Dear Ms. Simmons:

On September 23, 1985 this office was contacted by Mr. Creighton Holderead, Director, Marshall County Civil Defense. Mr. Holderead reported to Phil Roberts, Deputy Director, that a suspected radioactive source had been found at the scrap metal yard of Harry B. Franklin Co., Inc., 505 W. Garro, Plymouth, Indiana. Mr. Roberts contacted me at the Radiological Instrument Maintenance & Calibration Shop to inform me of Mr. Holderead's call. I contacted Mr. Holderead, who informed me he was detecting the presence of radiation from this unknown source with the Civil Defense type instrument, CDV-700.

I then contacted Hal Stocks, Radiological Health Officer, State Board of Health. He asked if I or someone from my department could follow up on this matter. Dave Yount and myself went to Plymouth, Indiana. We performed some basic wipe tests in and around the source. Wipes were tested with a Wm. B. Johnson GSM-5. No radiation was detected on any of the wipes. The source containment was clearly marked 100 milli-curies of AM-241, manufactured 1/18/79. Information on the front of the device was:

Industrial Dynamics Co., Ltd.
2927 Lomila Boulevard
Torrance, California

Serial #105-150
Model FT-12

8511040387
33297
257
ATTACHMENT A

OCT 15 1985

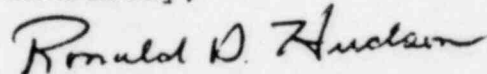
Ms. Toye Simmons

- 2 -

October 9, 1985

We placed the device in a plastic bag; then into a cardboard box, monitored the surface areas and returned the device to Hal Stocks in Indianapolis. On Wednesday, September 25, 1985, Mr. Stocks contacted the Nuclear Regulatory Commission. Mr. Stocks reported to me that the device had been sold by Industrial Dynamics Co. to the R. J. Reynolds Food Co. of Dayton, Ohio. Mr. Stocks contacted Industrial Dynamics Co. who furnished a shipping container for return of the device to them for proper disposal. On September 26, 1985 material was shipped to Industrial Dynamics Co. from the Indiana State Board of Health.

Sincerely,

A handwritten signature in cursive script that reads "Ronald D. Hudson".

Ronald D. Hudson
RADEF Officer

RDH/ew

STATE BOARD OF HEALTH

INDIANAPOLIS

OFFICE MEMORANDUM

TO: Woodrow A. Myers, Jr., M.D.

DATE: October 9, 1985

THRU: Virgil J. Konopinski
Ralph C. Pickard

FROM: Hal S. Stocks

SUBJECT: Incident Involving Radioactive Source

Ronald Hudson, Indiana Department of Civil Defense (IDCD), contacted me on Monday, September 23, 1985, concerning a source of radioactive material found at a scrap yard in Marshall County. I told Mr. Hudson that the proper course of action was to check for contamination on the finder of the source and on the county CD director who handled it. After insuring that this contamination or any contamination in the vicinity of where it was found did not exist, I instructed him to then place the source in a plastic container and transport it to the ISBH. We would then identify the source and take appropriate action.

Mr. Hudson retrieved the source himself, following directions carefully, and delivered it to the Radiological Health Section. The source appeared to be part of a radioactive gauge utilized for density or moisture determinations. It was labeled "Caution, Radioactive Material", 100 mCi Am-241, Serial Number 105-150, Model FT-12, Industrial Dynamics Company, Torrence, California. I called Darrel Wiedeman from Region III, U.S. NRC in Glen Ellyn, Illinois, and recited the above information. The following calibrated Ludlum Geiger readings were reported to Mr. Wiedeman: open Geiger tube, source container closed, read 0.2 mR/hour at surface; open Geiger tube, source container opened, read 200 mR/hour at surface; closed Geiger tube, source container opened, read 30 mR/hour at surface. In a short time Mr. Wiedeman called and said the instrument was manufactured under a California Agreement State License, 1586-70 GL. It was sold to R. J. Reynolds Foods in Dayton, New Jersey. R. J. Reynolds told Mr. Wiedeman that the device had been sold to the Milupa Corporation in East Troy, Wisconsin. Milupa attested that the source had been returned to R. J. Reynolds Foods. Mr. Wiedeman assigned the task of finding how the device ended up at the Harry B. Franklin Scrap Metals facility in Plymouth, Indiana, to Ms. Toye Simmons, a health physicist investigator on his staff.

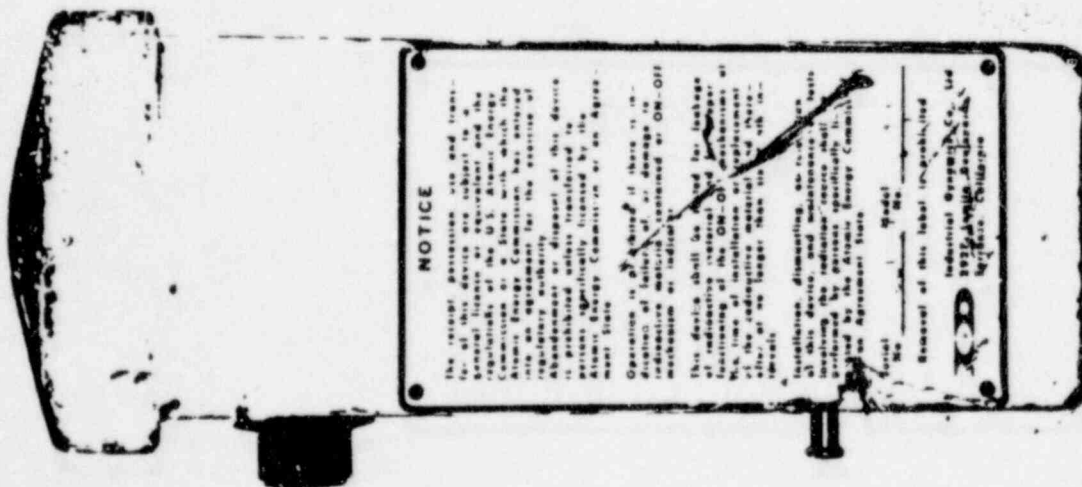
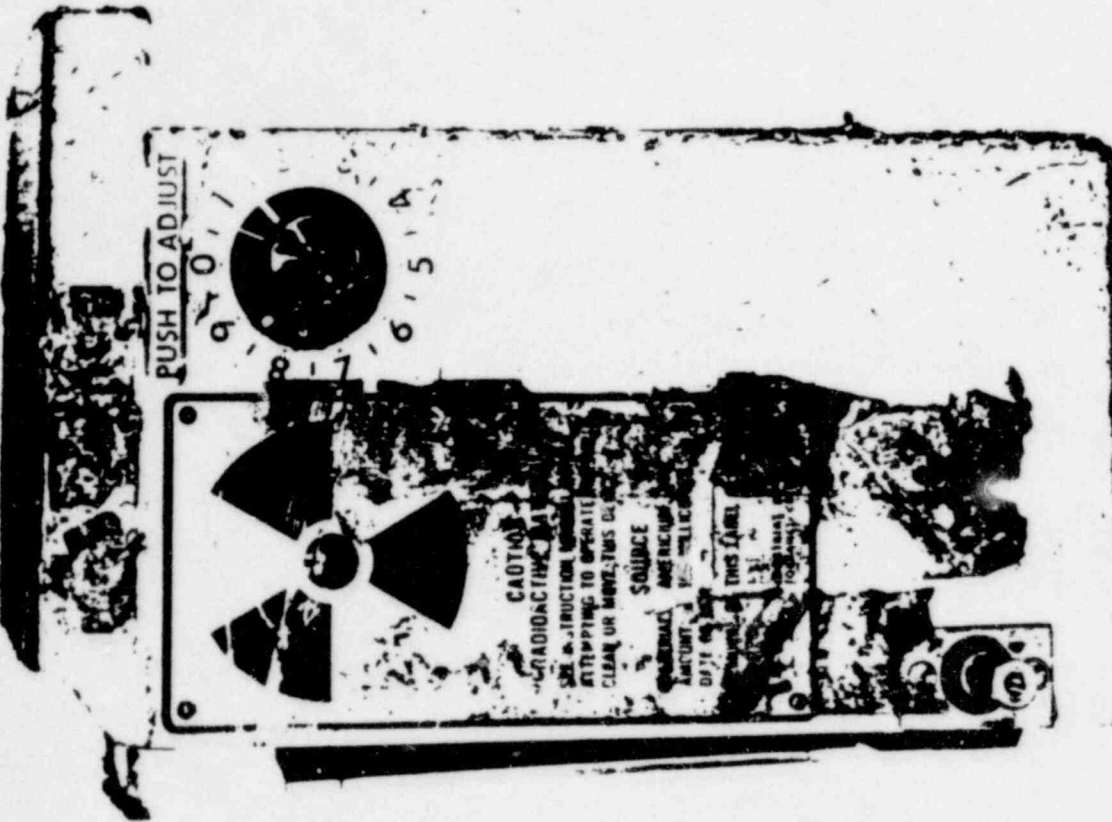
Mr. Wiedeman gave a telephone number for Industrial Dynamics. When called, they promised me a source container to ship the source back to them.

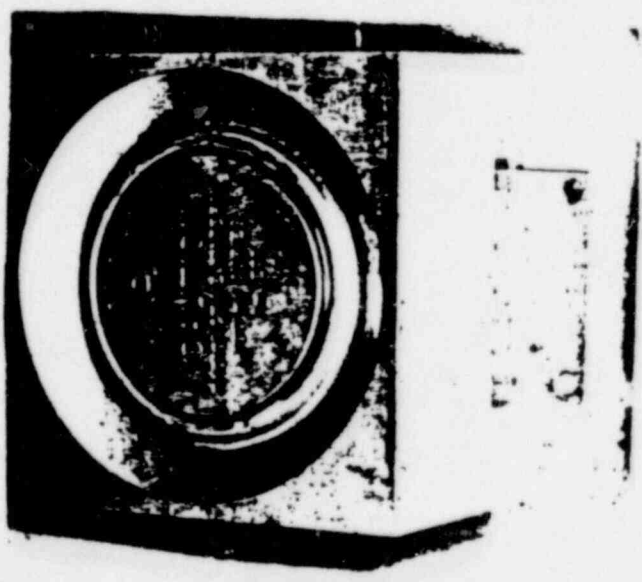
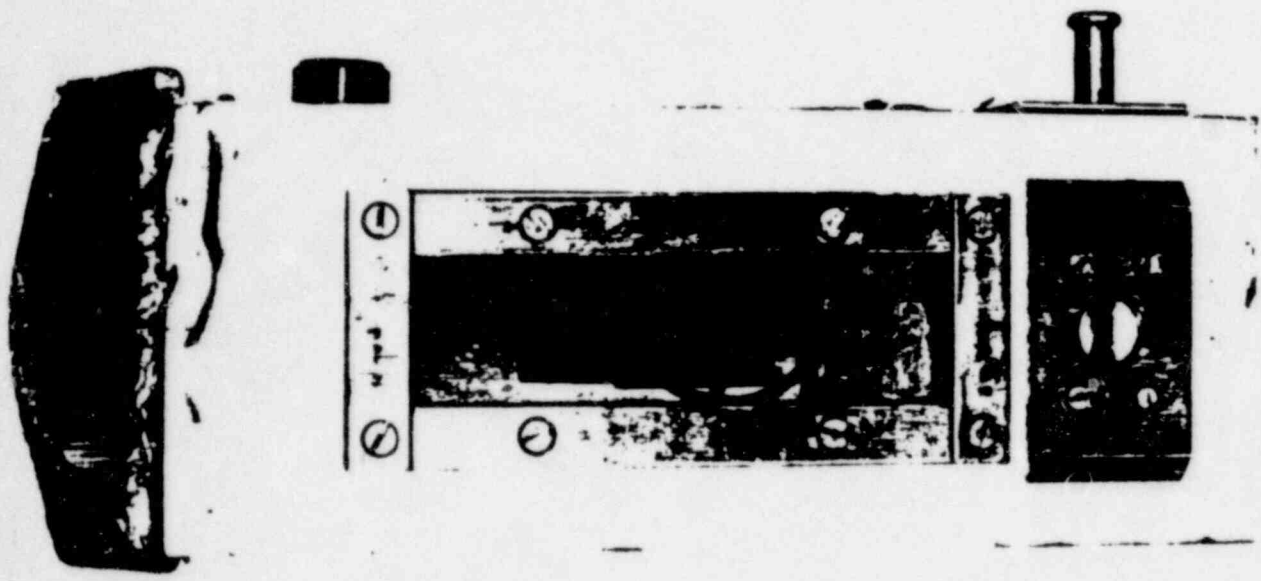
Michael Grider, ISBH photographer, produced photographs that displayed every number and letter on the device. The Radiological Health Section is appreciative of the excellent and prompt actions by all of the involved parties and wishes to commend them.

bcc: Toye Simmons ✓
Ronald Hudson

ATTACHMENT B

OCT 15 1985





INDUSTRIAL DYNAMICS COMPANY, LTD.
2927 LOMITA BOULEVARD
TORRANCE, CALIFORNIA 90509

LEAK TEST AND SOURCE INSPECTION CERTIFICATE

(LAST RECORDED)
1.0 CUSTOMER NAME AND ADDRESS:

RJR Roods, Inc.
Dayton - Jamesburg Road
Dayton, New Jersey
ATTN: Mr. Jerry Paris

2.0 WIPE TEST AND CERTIFICATION DATA:

2.1 WIPE TEST & SEAL(S) AFFIXED BY **
2.2 DATE OF WIPE TEST 9/30/85
2.3 RADIATION MEASUREMENTS MADE BY Larry Schmehl
2.4 DATE OF MEASUREMENTS 9/30/85

☐ CHECK IF NEW CONTACT

*100 Mci = 3.7 GBq
**0.005 μ Ci = 0.185 Kbk

3.0 SOURCE *(100 MC AM-241) AND MACHINE DESCRIPTION:

3.1 MACHINE S/N	3.2 SOURCE S/N	3.3 SOURCE MOD. NO.		3.4 SHUTTER CONDITION		3.5 LABEL(S) CONDITION		3.6 WIPE TEST DATA **		3.7 PLASTIC WINDOW		3.8 CONDITION INSIDE UNIT		3.9 LEAD SEAL AFFIXE
		6110	6765	MAN	AUTO	OK	REPL	OK	>.005 μ c	OK	REPL	OK	REPAIR	
105150	2816	X		X				X						

COMMENTS: * Source returned to IDC on 9/30/85

by Mr. Hal Stocks, Indiana State Bd. of Hlth.

Source located inside Inspection Head of Machine at

Form No. 072 (6/84) Harry D. Colton Scrap Metals/Plymouth, IN.

CERTIFIED BY:

Fred L. Calhoun
Fred L. Calhoun

TITLE: Radiation Safety Officer

ATTACHMENT C



INDUSTRIAL DYNAMICS Company, Ltd.

ATTACH 3

2927 LOMITA BOULEVARD • TORRANCE, CALIFORNIA 90509 U.S.A. • TELEPHONE: 213-325-5633 • TWX: 910-347 6230 INDUSCO

SOLD TO
RJR FOODS, INC.
P.O. BOX 3037
WINSTON-SALEM, N. CAROLINA 27102

SENT TO
RJR FOODS, INC. C/O MILUPA CORP.
200 NORTH BEULAH STREET
EAST TROY, MI 48061
ATTN: MR. PHIL BOWMAN
"ATTENTION PLANT PERSONNEL: DO NOT OPEN-
SEALED RADIOISOTOPE SOURCE-HOLD FOR
IDC FIELD SERVICEMAN!"

INVOICE 11926/M/A

CUSTOMER'S ORDER NO. 71216

INVOICE DATE JULY 23, 1979

SHIPPING DATE JULY 23, 1979

TERMS: NET 30

F.O.B. POINT: Torrance, California CMC

PLEASE PAY FROM INVOICE. NO STATEMENT WILL BE SENT

QTY	QUANTITY			DESCRIPTION	UNIT PRICE	TOTAL PRICE
	ORDERED	SHIPPED	BACK ORDER			
1	1	1	0	SEALED RADIOISOTOPE SOURCE CONTAINING 100 MILLICURIES OF AMERICIUM 241. DISTRIBUTED UNDER CALIFORNIA GENERAL LICENSE GL 1586-70. NOTE: THESE SOURCES ARE FOR THE FOLLOWING MACHINE SERIAL NUMBER 105150 SOURCE SERIAL NUMBER 2816 AIR FREIGHT -COLLECT- 85038607 TOTAL AMOUNT DUE:	\$ 500.00	\$ 500.00
						\$ 500.00
PACKED BY VP					CHECKED BY VP	
VALUE \$500.00					NO PKGS 1	
SHIPPED VIA AIR FREIGHT-COLLECT					WEIGHT 3 LBS	

CLAIMS FOR LOSS OR DAMAGE MUST BE
BILL AND CARRIER'S O.S. & D. REPORT.

PORTED BY ORIGINAL BILL OF LADING. FREIGHT

FIELD SERVICE REPORT

PURPOSE:

Installation

CONDITION FOUND:

*Unit not centered over conveyor.
Located approx 6 ft from center.
Conveyor speed approx 125 FPM.*

WORK PERFORMED:

*Installed source & wipe tested.
Reinstalled unit properly.
Provided instruction.
Checkout completed; observed
production test run satisfactorily.*

RECOMMENDATIONS:

N/A

UPON DEPARTURE

☒ MACHINE OPERATING SATISFACTORILY

☐ WORK NOT COMPLETE*

☐ CORRECTIVE ACTION* RECOMMENDED

☒ SOURCE REGISTRATION REQ'D - INST./REMOVAL

*EXPLAIN

CUSTOMER ACKNOWLEDGEMENT

MR. HENRY CARLSON
NAME TITLE PLEASE PRINT

SIGNATURE

PURCHASE ORDER NO.

RJR FOODS

PAGE 1 OF 1



INDUSTRIAL DYNAMICS CO. Ltd.

2927 LOMITA BOULEVARD • TORRANCE, CALIFORNIA 90509 • (213) 325-5633

DATE *July 30, 79* REPORT NO. *642-341*

BILL TO *Midwest Corp.*

ATTN. *Mr. Henry Carlson*

STREET *2004 N. Baulch Ave*

CITY *East Troy* STATE *Wisc.* ZIP *53120*

SERVICE CALL ☒ INSTALLATION ☐ REPAIR ☐ OTHER

☐ WIPE TEST ☐ WARRANTY

DATE REQUESTED *July 23, 79*

MODEL	EQUIPMENT SERVICED SERIAL NO.	SOURCE NO.
<i>ET-12 CAM</i>	<i>105150</i>	<i>2816</i>

LABOR

SERVICE CHARGES

DATE	TIME IN	TIME OUT	HOURS			
			STRAIGHT	OVERTIME	DOUBLE	TRAVEL
<i>7/30</i>	<i>630</i>	<i>400</i>	<i>1.5</i>	<i>0</i>	<i>0</i>	<i>3</i>

EXPENSES

CHECK IF APPLICABLE

AIR	AUTO	PER DIEM	LODGING	OTHER
	<i>150 M</i>			

QTY.	DELIVERED	PART	PRICE

1 WIPE TEST @ \$ *N/A* EACH.

TOTAL PARTS CHARGE

SERVICE ENGINEER *Mike Szwed*

SERVICE OFFICE *Midwest*

PHONE NO. *312-276-7578*

ATTACHMENT E

ATTACHMENT

RJR Foods, Inc.
Winston-Salem, N. C. 27102



March 28, 1980

Mr. C. R. Johnson, President
Milupa Corporation
48 Church Street
Canajoharie, NY 13317

Dear Mr. Johnson:

This letter is to confirm our oral agreement with Bob Pekel, of Milupa Corporation, to terminate our copacker agreement, dated May 25, 1979. The effective date of termination is April 1, 1980. No further production will be needed at your facility.

You have produced more than the 960,000 5½ oz. bottles of Milk Mate guaranteed in the Agreement. 25,019 cases of 20 oz. bottles were produced against the guarantee of 200,000 cases. As the Agreement calls for a reimbursement of \$0.05 per case on the shortfall, we owe Milupa \$8,749.05. Please invoice us for this amount.

Roger Simmons will contact Bob Pekel regarding the disposition of the equipment.

We have enjoyed our association with you and your people.

Sincerely,

James A. Merrill
Director of Manufacturing

JAM:ne

cc: Mr. Bob Pekel

This Memorandum

is an acknowledgment that a Bill of Lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record.

RJR FLEET TRUCK - DAYTON

Shipper's No. **2267**

Carrier's No.

RECEIVED subject to the classifications and tariffs in effect on the date of the receipt by the carrier of the property described in the Original Bill of Lading.

at **East Troy, WI**

May 7

19 80

From **Milupa Corporation**

the property described below in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery or to said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Official Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of the shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Consigned to **RJR Foods, Inc.**

Dayton-Jamesburg Road

(Mail or street address of consignee - For purposes of notification only)

Destination **Dayton**

State **OH**

County

Delivery Address *

Route

(* To be filled in only when shipper desires and governing tariffs provide for delivery thereat.)

Delivering Carrier

Car or Vehicle Initials **37**

No. **310**

No. Packages	Kind of Package Description of Articles Special Marks and Exceptions	WEIGHT (Subject to Correction)	Class or Rate	Check Column	Subject to Section 7 of Conditions of applicable bill of lading if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges. (Signature of Consignor) If charges are to be prepaid, write or stamp here: To be Prepaid. Collect Rec'd \$ _____ to apply in prepayment of the charges on the property described hereon. Agent or Cashier Per _____ (The signature here acknowledges only the amount prepaid.) Charges Advanced
	Liquid Sugar Meter & Accessories	JK			
	APV Heat Exchanger W/Water set & Accessories	JK			
	Process Controls, Peco & Accessories	JK			
	Refractometer ABBE 3-L & Accessories	JK			
	Spectrophotometer B&L & Accessories	JK			
	Process Piping & Accessories	JK			
	Water Meter & Accessories	JK			
	Taylor Water Temp. Control Valve & Accessories	JK			
	Lab Scale & Accessories	JK			
	Tri-Clover Valves & Accessories	JK			
	Control Panels & Accessories	JK			
	Incubator & Accessories	did not ship			
	Hooke Water Bath & Accessories	JK			
	Liquid Level Detector & Accessories	JK			

*If the shipment moves between the ports by a carrier by water, the law requires that the bill of lading shall state whether it is a "carrier's" or "shipper's" receipt.
NOTE: Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.
The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding _____.

* The above form used for this shipment conforms to the specifications set forth in the last maker's certificate thereon, and all other requirements of the Commodity and Freight Classification.

Milupa Corporation

Shipper, Per

Richard [Signature]

Agent, Per

[Signature]

Permanent post-office address of shipper **2004 Benlah Ave., East Troy, WI 53120**

milupa corporation

2004 N. BEULAH AVE.
E. TROY, WISCONSIN 53120 • 414/642-7341

May 9, 1980

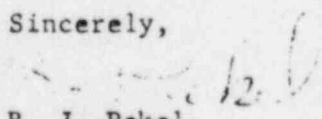
Mr. Jim Merrill
RJR Foods, Inc.
P.O. Box 3037
Winston-Salem, NC 27102

Dear Mr. Merrill:

We wish to inform you that all equipment and accessories belonging to RJR Foods has been removed and shipped from the East Troy facility (Milupa Corp. - Warehouse 424). This was done under the supervision of Mr. Jerry Parris. Effective May 9, 1980 there is no equipment or accessory belonging to RJR Foods remaining at the East Troy facility.

I wish to thank you for your cooperation and also inform you that Mr. Parris was very instrumental in the swift and effective removal of the equipment. He was very cooperative and knowledgeable in his job. He is an excellent representative of RJR Foods.

Sincerely,


R. J. Pekel
Operations Manager

cc: E. Woods
C. R. Johnson

Chronology Gauge S/N 105150 - Source No. 2816

1979

Industrial Dynamics, Ltd. Torrence, CA sold a fill level gauge containing 100 mCi Am-241 to RJR Foods, Wiston-Salem, N.C.

Industrial Dynamics, Ltd. installed the unit at Milupa Corp., East Troy, WI on 7/30/79

1980 - 1981

RJR Foods merged with Del Monte Corp.

RJR Foods/Del Monte removed the gauge from Milupa Corp. 5/30 and transferred it to Del Monte Corp, Dayton N.J. where it went into storage.

1982

The gauge was sent to Del Monte, Plymouth, IN where it was placed in storage.

1985

Between 7/5/85 and 8/21/85 gauge was discarded in dumpster provided by Franklin Scrap Yard

The dumpster was picked up at Del Monte 8/21/85

On 9/17/85 Franklin Scrap Yard sent scrap to Merviss & Sons scrap yard located in Kokomo, IN

Between the 17th and 20th Mervis & Sons discovered the gauge. Mr. Mervis contacted Mr. Morris of the Franklin Yard.

Mr. Morris sent a driver down to pick it up.

Mr. Morris contacted the Civil Defense office.

Mr. Holderead^{of local Civil Defense office} took the gauge to his office and contacted the state Civil Defense office in Indianapolis. Mr. Ron Hudson of the Indianapolis Civil Defense transported the gauge to the Indiana State Board of Health on 9/23/85. Mr. Hal Stocks took possession of the gauge. His office performed a survey and a leak test. The survey results are as follows:

Gauge in the on position:	surface (probe window open)	200 mr/hr
	surface (probe window closed)	30 mr/hr

Gauge in off position:	surface (probe window open)	0.2 mr/hr
------------------------	-----------------------------	-----------

Measurements taken with a Ludlum - last calibration date 1/85

Leak test results: less than .005uCi

Region III notified 9/25/85

On 9/26/85 ISBH shipped gauge to Industrial Dynamics Ltd.

On 9/30/85 manufacturer leak tested source results: < .005 uCi

SAMPLE ONLY



INDUSTRIAL DYNAMICS COMPANY, LTD.

2927 Lomita Boulevard • P.O. Box 2945 • Torrance, California 90509-2945 U.S.A.

Phone: (213) 325-5633 • Telex Intl. 4720345 • N.A. 664205

REFERENCE: FILTEC MODEL FT-12

Inspection System Serial

No. 103411

SOURCE Serial No. 1220

Date October 03, 1985

RJR FOODS, INC.
506 W. North Street
Plymouth, Indiana 46563

Attention: Mr. Paul Crane

Dear Sir:

Industrial Dynamics' FILTEC utilizes a radioisotope as a source of radiation. This radioisotope source (SOURCE) is distributed to you under a General License issued to us by the State of California. As a General Licensee, using a generally licensed device, you must operate and maintain the FILTEC in accordance with the rules and regulations set forth by your Regulatory Agency. These regulations require that you register the SOURCE within 30 days after its receipt! This is your responsibility and should be attended to immediately! We have supplied information to assist you in the registration of the SOURCE, but if you should require additional data, please contact us immediately.

☒ X

We have enclosed the Registration Forms and instructions for registering the SOURCE in your state. Please complete the forms and mail to your State Agency.

☐ N/A

Please contact your Regulatory Agency (see enclosure) and request the necessary Registration Forms and instructions for registering the SOURCE. (Your Agency prefers to send the necessary forms directly to you.)

The following information is enclosed pertaining to the FILTEC and its SOURCE. File them in a safe place for future reference.

1. Industrial Dynamics' "FILTEC Radioisotope Source Information Manual".
2. Radiation Rules and Regulations applicable to your FILTEC.
3. The address and telephone number of the nearest office of Agency having regulatory responsibility for your SOURCE.

Continued.....

APPENDIX 2

The specifications on the FILTEC and its SOURCE are listed below:

Name and Model of Machine -----FILTEC, Model FT-12
Radioactive Material (Ceramic Enamel Form) -----Americium-241
Sealed SOURCE Model No. -----06110
Quantity of Radioactive Material -----100 Millicuries ea.
Use-----Gamma Density Measuring Gauge
Industrial Dynamics' General Distribution License No.-GL1586-70

The FILTEC will be shipped to your plant without the SOURCE. This allows your plant personnel to begin preparation for machine installation prior to the arrival of our Field Service Representative. When you are prepared to install and check out the FILTEC, please contact our Field Service Department to confirm an installation date. Once the installation date is confirmed, the SOURCE will be sent to you by the following method:

☒

The SOURCE will be shipped by Air Freight directly to your plant and marked to your attention. You should place the SOURCE in a safe place (a locked area with limited access) until our Service Representative arrives. DO NOT OPEN THE SOURCE PACKAGE. If the package is damaged, please notify us immediately!

☐

Our Field Service Representative will hand carry the SOURCE to your plant for installation and checkout.

☐

Other:

IMPORTANT NOTICE

Regulations prohibit the installation of the SOURCE in the FILTEC unit by unqualified personnel. Industrial Dynamics' or other qualified agents must be employed to install the SOURCE in the machine.

Once the SOURCE is installed, dismantling or relocation of the FILTEC unit or maintenance and tests involving the SOURCE shall be performed by persons specifically licensed by the Nuclear Regulatory Commission or your State Agency.

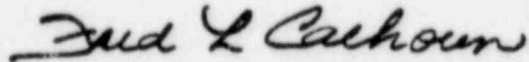
Attachments to this letter show the information given on the label(s) affixed to your FILTEC equipment. The information on the label(s), as well as the other enclosed data, should be carefully studied to insure that you comply with all the radiation regulations and that proper operation and maintenance on your FILTEC unit is achieved.

Continued

One very important regulation will be mentioned regarding the radiation leak test requirements on the SOURCE. A leak test will be performed when the FILTEC is installed, and the tests must be conducted at six month intervals thereafter. These tests must be made by an agency authorized by your state or the Nuclear Regulatory Commission to conduct wipe tests on Americium-241. If you are unable to locate such an agency near your installation, Industrial Dynamics is authorized to make these tests.

Yours very truly,

INDUSTRIAL DYNAMICS COMPANY, LTD.



Fred L. Calhoun
Radiation Safety Officer

FLC:ab

Enclosures

UNITED STATES NUCLEAR REGULATORY COMMISSION

RULES and REGULATIONS

TITLE 10, CHAPTER 1, CODE OF FEDERAL REGULATIONS—ENERGY

PART 31

GENERAL DOMESTIC LICENSES FOR BYPRODUCT MATERIAL[†]

Sec.

- 31.1 Purpose and scope.
- 31.2 Terms and conditions.
- 31.3 Certain devices and equipment.
- 31.5 Certain measuring, gauging or controlling devices.
- 31.6 General license to install devices generally licensed in § 31.5.
- 31.7 Luminous safety devices for use in aircraft.
- 31.8 Americium-241 in the form of calibration or reference sources.
- 31.9 General license to own byproduct material.
- 31.10 General license for strontium-90 in ice detection devices.
- 31.11 General license for use of byproduct materials for certain in vitro clinical or laboratory testing.

AUTHORITY: Secs. 51, 161, 183, 68 Stat. 935, 948, 954, as amended; 42 U.S.C. 2111, 2201, 2233. For the purposes of sec. 223, 68 Stat. 968, as amended; 42 U.S.C. 2273, 31.5(d)(5), 31.8(a) and 31.11(e) issued under sec. 161 o. 68 Stat. 950, as amended; 42 U.S.C. 2201(a), unless otherwise noted.

§ 31.1 Purpose and scope.

This part establishes general licenses for the possession and use of byproduct material contained in certain items and a general license for ownership of byproduct material. Part 30 of this chapter also contains provisions applicable to the subject matter of this part.

§ 31.2 Terms and conditions.

(a) The general licenses provided in this part are subject to the provision of §§ 30.14(d), 30.34(a) to (e), 30.41, 30.51 to 30.63 and Parts 19, 20, and 21 of this chapter¹ unless indicated otherwise in the language of the general license.

¹ Attention is directed particularly to the provisions of the regulations in Part 20 of this chapter which relate to the labeling of containers.

§ 31.3 Certain devices and equipment.

A general license is hereby issued to transfer, receive, acquire, own, possess and use byproduct material incorporated in the following devices or equipment which have been manufactured, tested and labeled by the manufacturer in accordance with the specifications contained in a specific license issued to him by the Commission.

(a) *Static elimination device.* Devices designed for use as static eliminators which contain, as a sealed source or sources, byproduct material consisting of a total of not more than 500 microcuries of polonium-210 per device.

(b) [Deleted 34 FR 6651.]

(c) [Deleted 35 FR 3982.]

(d) *Ion generating tube.* Devices designed for ionization of air which contain, as a sealed source or sources, byproduct material consisting of a total of not more than 500 microcuries of polonium-210 per device or of a total of not more than 50 millicuries of hydrogen-3 (tritium) per device.

§ 31.4 [Deleted 36 FR 16898.]

§ 31.5 Certain measuring, gauging or controlling devices.²

(a) A general license is hereby issued to commercial and industrial firms and research, educational and medical institutions, individuals in the conduct of their business, and Federal, State or local government agencies to acquire, receive, possess, use or transfer, in accordance with the provisions of paragraphs (b), (c) and (d) of this section, byproduct material contained in devices designed and

² Persons possessing byproduct material in devices under the general license in § 31.5 before Jan. 15, 1975 may continue to possess, use or transfer that material in accordance with the requirements of § 31.5 in effect on Jan. 14, 1975.

manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

(b) The general license in paragraph (a) of this section applies only to byproduct material contained in devices which have been manufactured or initially transferred and labeled in accordance with the specifications contained in a specific license issued pursuant to § 32.51 of this chapter or in accordance with the specifications contained in a specific license issued by an Agreement State which authorizes distribution of the devices to persons generally licensed by the Agreement State.

(c) 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:

(1) Shall assure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained thereon and shall comply with all instructions and precautions provided by such labels;

(2) Shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such other intervals as are specified in the label; however:

(i) devices containing only krypton need not be tested for leakage of radioactive material, and

(ii) devices containing only tritium or not more than 100 microcuries of other beta and/or gamma emitting material or

EXCERPTS FROM TITLE 10, CODE OF FEDERAL REGULATIONS
PART 20 • STANDARDS FOR PROTECTION AGAINST RADIATION

(3) Records of disposal of licensed materials made pursuant to §§ 20.302, 20.303, removed § 20.304,¹ and Part 61 of this chapter are to be maintained until the Commission authorizes their disposition.

(4) Records which must be maintained pursuant to this part may be the original or a reproduced copy or microform if such reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by Commission regulations.

(5) If there is a conflict between the Commission's regulations in this part, license condition, or technical specification, or other written Commission approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this part for such records shall apply unless the Commission pursuant to § 20.501, has granted a specific exemption from the record retention requirements specified in the regulations in this part.

§ 20.402 Reports of theft or loss of licensed material.

(a) Each licensee shall report by telephone to the Director of the appropriate Nuclear Regulatory Commission Inspection and Enforcement Regional Office listed in Appendix D of this part, immediately after its occurrence becomes known to the licensee, any loss or theft of licensed material in such quantities and under such circumstances that it appears to the licensee that a substantial hazard may result to persons in unrestricted areas.

(b) Each licensee who is required to make a report pursuant to paragraph (a) of this section shall, within thirty (30) days after he learns of the loss or theft, make a report in writing to the appropriate NRC Regional Office listed in Appendix D of this part with copies to the Director of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, setting forth the following information:

¹ Section 20.304 provided for burial of small quantities of licensed materials in soil. Notice of its deletion appears in the FEDERAL REGISTER of October 30, 1980 (45 FR 71762).

(1) A description of the licensed material involved, including kind, quantity, chemical, and physical form;

(2) A description of the circumstances under which the loss or theft occurred;

(3) A statement of disposition or probable disposition of the licensed material involved;

(4) Radiation exposures to individuals, circumstances under which the exposures occurred, and the extent of possible hazard to persons in unrestricted areas;

(5) Actions which have been taken, or will be taken, to recover the material; and

(6) Procedures or measures which have been or will be adopted to prevent a recurrence of the loss or theft of licensed material.

(c) Subsequent to filing the written report the licensee shall also report any substantive additional information on the loss or theft which becomes available to the licensee, within 30 days after he learns of such information.

(d) Any report filed with the Commission pursuant to this section shall be so prepared that names of individuals who may have received exposure to radiation are stated in a separate part of the report.

§ 20.403 Notifications of incidents.

(a) Immediate notification. Each licensee shall immediately notify by telephone and telegraph, mailgram, or facsimile, the Director of the appropriate NRC Regional Office listed in Appendix D of this part of any incident involving byproduct, source, or special nuclear material possessed by him and which may have caused or threatens to cause:

(1) Exposure of the whole body of any individual to 25 rems or more of radiation; exposure of the skin of the whole body of any individual of 150 rems or more or radiation; or exposure of the feet, ankles, hands or forearms of any individual to 375 rems or more of radiation; or

(2) The release of radioactive material in concentrations which, if averaged over a period of 24 hours, would exceed 5,000 times the limits specified for such materials in Appendix B, Table II of this part; or

(3) A loss of one working week or more of the operation of any facilities affected; or

(4) Damage to property in excess of \$200,000.

(b) Twenty-four hour notification. Each licensee shall within 24 hours notify by telephone and telegraph, mailgram, or facsimile, the Director of the appropriate NRC Regional Office listed in Appendix D of this part of any incident involving licensed material possessed by him and which may have caused or threatens to cause:

(1) Exposure of the whole body of any individual to 5 rems or more of radiation; exposure of the skin of the whole body of any individual to 30 rems or more of radiation; or exposure of the feet, ankles, hands, or forearms to 75 rems or more of radiation; or

(2) The release of radioactive material in concentrations which, if averaged over a period of 24 hours, would exceed 500 times the limits specified for such materials in Appendix B, Table II of this part; or

(3) A loss of one day or more of the operation of any facilities affected; or

(4) Damage to property in excess of \$2,000.

(c) Any report filed with the Commission pursuant to this section shall be prepared so that names of individuals who have received exposure to radiation will be stated in a separate part of the report.

(d) For nuclear power reactors licensed under § 50.21 or § 50.22, the incidents included in paragraph (a) and paragraph (b) in this section shall in addition be reported pursuant to § 50.72.

§ 20.404 [Reserved]

§ 20.405 Reports of overexposures and excessive levels and concentrations.

(a) In addition to any notification required by § 20.403, each licensee shall make a report in writing within 30 days to the Regional Office listed in Appendix D of this part, with a copy to the Director of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, of:

(1) Each exposure of an individual to radiation in excess of the applicable limits in §§ 20.101 or 20.104(a) or the license; (2) each exposure of an individual to radioactive material in excess of the applicable limits in §§ 20.103(a)(1), 20.103(a)(2), 20.104(b) or the license; (3) levels of radiation or concentrations of radioactive material in a restricted area in excess of any other applicable limit in the license; (4) any incident for which notification is required by § 20.403; and (5) levels of radiation or concentrations of radioactive material (whether or not invol-

INSTRUCTIONS FOR FILLING OUT REGISTRATION FORMS

Return completed forms to: Indiana State Board of Health
Division of Sanitary Engineering
1330 West Michigan Street
Indianapolis 7, Indiana

A. PLEASE TYPE OR PRINT WITH SOFT PENCIL OR BLACK INK.

B. Fill out all the blanks applicable to your installation. DO NOT USE CHECK MARKS.

C. Attach sheets to the registration form if needed.

- Item 1. The owner shall mean the person or organization having by law the administrative control of a source of radiation.
- Item 2. Radiation producing machines include x-ray machines, fluoroscopes, electron microscopes, x-ray diffraction apparatus, particle accelerators, reactors, etc. Radioactive materials include those incorporated in devices such as radioactive static eliminators, thickness gauges, instruments, etc. The word "possess" as used here includes ownership, rental, or lease of any radiation machine or other radioactive materials. If the answer to this question is "no," insert "no" in the space provided, sign the space at the bottom of the form and mail to the State Board of Health, ~~in the enclosed envelope~~.
- Item 3. If your only use of radiation machines is as a test facility, the machines tested need not be listed under Items 6 or 7.
- Item 4. The "Person Responsible for Radiation Control" means the person to whom over-all responsibility for radiation control is assigned. If responsibility for radiation control is divided, list additional names, addresses, and titles on a separate sheet and indicate to whom correspondence concerning radiation control should be directed. If same as owner, insert "same."
- Item 5. If same as Item 1 or 4, insert "same as 1" or "same as 4". "Installation" means a location or establishment where one or more sources of radiation are used, operated or stored. A part of a building, an entire building, or a plant may be designated as an installation. If you have more than one installation, please prepare separate registration forms for each installation. Where mobile sources are involved, location means central headquarters for the source.
- Item 6. Under "Model" indicate year. Also under "Model" enter letter "M" if mobile, letter "P" if portable and letter "F" if fixed. "Use" means diagnostic, therapeutic, research, material analysis, industrial radiographic, inspection, etc. Under "Intensifying Screen Speed" insert the speed in terms specified by the manufacturer (slow, medium, fast). Under "Filter Thickness" indicate material and thickness in millimeters. Under "Film Speed" indicate film speed in the terms specified by the manufacturer (regular, fast, very fast, ultra fast, etc.).
- Item 7. Other Radiation Producing Equipment. "Type of Machine" means electron microscope, x-ray diffraction instruments, particle accelerators, nuclear reactors, static eliminators, etc. Under "Rating" indicate the energy of the machine in Mev., and intensity in ma. or roentgens per unit of time. If the radiation is produced by a radioactive material enter the isotope and the quantity in millicuries.
- Item 8. a. Indicate total amount of radium on hand at any one time regardless of whether it is owned, rented, leased, or stored by the registrant.
b. For "form of source" indicate whether needle, capsule, plaque, tube, etc.
- Item 10. Other Radioactive Materials. Include accelerator produced radioactive materials, natural radioactive materials, radon, or any other radioactive materials not covered by Atomic Energy Commission license unless exempted from registration. Under "Chemical or Physical Form" indicate if the source is sealed or unsealed and whether in solid, liquid, or gaseous form. Under "Maximum Quantity" estimate the maximum quantity on hand at any one time during the past 12 months. Radon users should indicate maximum quantity obtained in any one shipment during the past 12 months.
- Item 11. "Have radiation surveys been made" means a survey of the occupied and adjacent areas.
- Signature If owner is other than an individual, the signature should be that of the manager or person of comparable status at the installation covered by the registration.

RADIOACTIVE MATERIAL REGISTRATION APPLICATION

MAIL ONE COPY TO: INDIANA STATE BOARD OF HEALTH, 1330 W. MICHIGAN STREET, INDIANAPOLIS, IN. 46206, ATTENTION: RADIOLOGICAL HEALTH, DIVISION OF INDUSTRIAL HYGIENE AND RADIOLOGICAL HEALTH. UPON APPROVAL OF THIS APPLICATION, THE APPLICANT WILL RECEIVE AN ISBH RADIOACTIVE MATERIAL REGISTRATION. AN ISBH RADIOACTIVE MATERIAL REGISTRATION IS ISSUED IN ACCORDANCE WITH THE GENERAL REQUIREMENTS CONTAINED IN THE RADIATION CONTROL ACT OF INDIANA (IC 1971, 13-1-2).

FOR OFFICIAL USE
Do Not Write in This Space

Co. Code LL

Reg.

1. (a) NAME OF REGISTRANT (Institution, firm, hospital, person, etc.)

RJR FOODS, INC.

(b) ADDRESS OF REGISTRANT (Include Zip)

506 W. North Street
Plymouth, Indiana 46563

Phone - -

Fac.

2. (a) COMPANY NAME AT WHICH RADIOACTIVE MATERIAL WILL BE USED

(b) ADDRESS OF COMPANY WHERE USED (Include Zip)

Phone - -

3. DEPARTMENT TO USE RADIOACTIVE MATERIAL

4. NRC LICENSE NUMBER(S), IF ANY (Also most recent amendment.)

5. INDIVIDUAL USER(S) (Name and Title of individual(s) who will use or directly supervise use of radioactive materials.)

6. RADIATION PROTECTION OFFICER (Name of person designated as radiation protection officer if other than individual user.)

Phone - -

7. SEALED SOURCE (Use additional sheets if required.)

	Element	Mass #	Maximum Activity (check appropriate unit)	Mfg. Name	Model #	Storage Container Make and Model # (if available)	Type of Device	Number of These Devices
1	AIM	21411	11010 . mCi	Industrial Dynamics	06110	FT-12	FILTEC Fill	
2							Level Inspector	
3								
4								
5								
6								

8. RADIOACTIVE MATERIAL (Use additional sheets if required.)

	Element	Mass #	Maximum Activity (Check appropriate unit)	Chemical and/or Physical Form
1				
2				
3				
4				
5				
6				

9. DESCRIBE PURPOSE FOR WHICH RADIOACTIVE MATERIALS AND/OR SEALED SOURCES WILL BE USED

Fill Level Gauge (FT-12)

10. ALL INFORMATION CONTAINED HEREIN, INCLUDING ANY SUPPLEMENTS ATTACHED HERETO, IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF

BY: _____

DATE _____

APPLICANT NAME IN ITEM 1 _____

TITLE OF CERTIFYING OFFICIAL _____

RADIOACTIVE MATERIAL REGISTRATION APPLICATION

MAIL ONE COPY TO: INDIANA STATE BOARD OF HEALTH, 1330 W. MICHIGAN STREET, INDIANAPOLIS, IN. 46206, ATTENTION: RADIOLOGICAL HEALTH, DIVISION OF INDUSTRIAL HYGIENE AND RADIOLOGICAL HEALTH. UPON APPROVAL OF THIS APPLICATION, THE APPLICANT WILL RECEIVE AN ISBH RADIOACTIVE MATERIAL REGISTRATION. AN ISBH RADIOACTIVE MATERIAL REGISTRATION IS ISSUED IN ACCORDANCE WITH THE GENERAL REQUIREMENTS CONTAINED IN THE RADIATION CONTROL ACT OF INDIANA (IC 1971, 13-1-2).

FOR OFFICIAL USE
Do Not Write In This Space

Co. Code

Reg.

1. (a) NAME OF REGISTRANT (Institution, firm, hospital, person, etc.)

RJR FOODS, INC.

(b) ADDRESS OF REGISTRANT (Include Zip)

506 W. North Street
Plymouth, Indiana 46563

Phone - -

Fac.

2 (a) COMPANY NAME AT WHICH RADIOACTIVE MATERIAL WILL BE USED

(b) ADDRESS OF COMPANY WHERE USED (Include Zip)

Phone - -

3. DEPARTMENT TO USE RADIOACTIVE MATERIAL

4. NRC LICENSE NUMBER(S), IF ANY (Also most recent amendment.)

5. INDIVIDUAL USER(S) (Name and Title of individual(s) who will use or directly supervise use of radioactive materials.)

6. RADIATION PROTECTION OFFICER (Name of person designated as radiation protection officer if other than individual user.)

Phone - -

7. SEALED SOURCE (Use additional sheets if required.)

	Element	Mass #	Maximum Activity (check appropriate unit)		Mfg. Name	Model #	Storage Container		Type of Device	Number of These Devices
							Make and Model # (if available)			
1	AIM	21411	11010	.1mCi	Industrial Dynamics	06110	FT-12	FILTEC Fill		
2				.1mCi				Level Inspector		
3				.1mCi						
4				.1mCi						
5				.1mCi						
6				.1mCi						

8. RADIOACTIVE MATERIAL (Use additional sheets if required.)

Element	Mass #	Maximum Activity (Check appropriate unit)	Chemical and/or Physical Form
1			.1mCi
2			.1mCi
3			.1mCi
4			.1mCi
5			.1mCi
6			.1mCi

9. DESCRIBE PURPOSE FOR WHICH RADIOACTIVE MATERIALS AND/OR SEALED SOURCES WILL BE USED

Fill Level Gauge (FT-12)

10. ALL INFORMATION CONTAINED HEREIN, INCLUDING ANY SUPPLEMENTS ATTACHED HERETO, IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF

BY: _____

DATE _____ APPLICANT NAME IN ITEM 1 _____

TITLE OF CERTIFYING OFFICIAL _____

DO'S AND DON'T'S

DO.....



REGISTER RADIOISOTOPE SOURCE(S) WITH YOUR STATE/REG. AGENCY WITHIN THE SPECIFIED NUMBER OF DAYS (SEE LETTER AND/OR IMPORTANT NOTICE [NOTE]) AFTER RECEIPT OF SAID SOURCE(S). IF NECESSARY, CONTACT YOUR STATE/REG. AGENCY TO OBTAIN REQUIRED REGISTRATION FORMS FOR YOUR RADIOISOTOPE SOURCE(S).



COMPLY WITH ENCLOSED REGULATIONS REGARDING WIPE TESTS EVERY SIX MONTHS.



MAINTAIN COPIES OF ALL RECORDS, RECEIPTS, TRANSFERS, LEAK TESTS, ETC. PERTAINING TO THE RADIOISOTOPE SOURCE(S).

DON'T.....

1. RUN WIPE TEST ON RADIOISOTOPE SOURCE(S) YOURSELF UNLESS YOU HAVE A SPECIFIC LICENSE TO DO SO.
2. OPEN OR TAMPER WITH THE ENCLOSURE CONTAINING THE RADIOISOTOPE SOURCE(S).
3. TRANSFER, ABANDON, OR DISPOSE OF THE RADIOISOTOPE SOURCE, EXCEPT BY TRANSFER TO A PERSON DULY AUTHORIZED TO RECEIVE SUCH DEVICE.

NOTE: IF YOU HAVE ANY QUESTIONS CONCERNING THE ABOVE, PLEASE CONTACT INDUSTRIAL DYNAMICS.

OFFICE OF AGENCY THAT HAS REGULATORY RESPONSIBILITY
FOR YOUR RADIOISOTOPE SOURCE

Indiana State Board of Health
1330 West Michigan Street
Indianapolis, Indiana 46207

Attn: Mr. Hal S. Stocks, Chief
Radiological Health Section
Division of Industrial Hygiene
& Radiological Health

Telephone: (317) 633-0150

NOTE: RADIOISOTOPE SOURCE MUST BE REGISTERED WITH
THIS AGENCY WITHIN 30 DAYS AFTER ITS RECEIPT!



INDUSTRIAL DYNAMICS COMPANY, LTD.

2927 Lomita Boulevard • P.O. Box 2945 • Torrance, California 90509-2945 U.S.A.

Phone: (213) 325-5633 • Telex Intl. 4720345 • N.A. 664205

REGIONAL OFFICES

For semi-annual wipe tests and/or service on your FILTEC equipment, please contact the office indicated below:

☐

CALIFORNIA

Mr. Bob McKeand
Manager, Customer Service
2927 Lomita Boulevard
Torrance, California 90509
(213) 325-5633

☐

WISCONSIN

Mr. Al Natole
Regional Manager
2040 W. Wisconsin Ave.
Suite 365
Milwaukee, Wisconsin 53233
(414) 931-8990

☐

CANADIAN

Mr. Graham Gore
Regional Manager
200 Consumers Road
Suite 200
Willowdale, Ontario
Canada M2J 4R4
(416) 491-4339

☒

NEW JERSEY

Mr. Ron Pokraka
Regional Manager
657 Bloomfield Avenue
P.O. Box 348
Bloomfield, New Jersey 07003
(201) 743-1222

☐

GEORGIA

Mr. Don Webb
Regional Manager
814 Sandtown Road
Marietta, Georgia 30060
(404) 429-1974
429-1990

filtec[®]

SYSTEM

RADIOISOTOPE SOURCE INFORMATION
MANUAL

MODEL FT-12

~~6511040392~~



INDUSTRIAL DYNAMICS

N O T I C E

This manual provides you, a general licensee, with information pertinent to the operation and safety requirements for your FILTEC Model FT-12.

The INTRODUCTION and RADIOLOGICAL SAFETY sections will familiarize you with details on the radioisotope source used in Model FT-12.

You have also been furnished, under separate cover, the appropriate Rules and Regulations regarding the use of the radioisotope source from the agency which has the regulatory responsibility for your area.

* * * * *

INDUSTRIAL DYNAMICS COMPANY, LTD.
2927 Lomita Boulevard
Torrance, California 90509
Telephone: (213) 325-5633

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THE FILTEC MODEL FT-12

OPERATION AND MAINTENANCE MANUAL

INTRODUCTION

Inspection of fill level in moving containers without contacting them is accomplished by passing the containers between a radiation source and a detector, where the radiation that penetrates the container is affected in some way by the presence of its contents. The FILTEC FT-12 utilizes gamma radiation and a scintillation detector to inspect fill level in applications where the characteristics of the container and contents make this type of radiation suitable.

X and gamma radiation (which are identical except for their origin) have been used for many years to measure density, thickness, and dimensions or levels. Prior to the 1940's, however, the use of devices utilizing X and gamma radiation in industry was limited because of the cost, complexity and limited selection of radiation sources. Since the 1940's, the availability of a number of low cost, artificially produced radioactive isotopes (radioisotopes) has resulted in a large increase in the applications of such devices. Currently, gauges utilizing radioisotope sources to measure thickness, density or level are in widespread use in nearly every major industry.

Every scientific advance brings with it the necessity for certain precautions and controls to enable the full realization of its benefits without endangering life or property. This was true of steam and electricity and is true for radioactivity. Because the industrial use of radioisotopes is of relatively modern origin, the manufacture and use of devices containing them are much more effectively monitored and controlled by regulatory agencies than were earlier scientific advances. Thus, radiation materials and devices probably are safer than most potential industrial hazards, however, certain precautions must be observed for absolute safety and certain regulations have been established to promote their safe usage. Both the precautions necessary to insure complete radiological safety when using the FILTEC FT-12 and the regulations which must be observed are quite simple. Please read carefully the Radiological Safety instructions in this manual and see that all operating and maintenance personnel are advised of concerning portions that may apply to them.

It is recommended that the installation of FILTEC be supervised by an Industrial Dynamics' Field Engineer.

INTRODUCTION (Continued)

RESPONSIBILITY FOR OPERATIONAL ADJUSTMENTS OF THE FILTEC SHOULD BE DELEGATED TO ONE PERSON IN THE PLANT. THIS PERSON, PREFERABLY SOMEONE IN A SUPERVISORY OR TECHNICAL CAPACITY, SHOULD BECOME THOROUGHLY FAMILIAR WITH ALL OF THE OPERATING DETAILS TO INSURE OPTIMUM PERFORMANCE OF THE SYSTEM.

FILTEC MODEL FT-12

RADIOLOGICAL SAFETY

The FILTEC FT-12 utilizes, as a source of gamma radiation, a small quantity of the radioisotope Americium-241 sealed by double fusion welds into a special type 304 stainless steel capsule. The Americium-241 is in ceramic enamel form and its melting range is in the region of 900° to 1050°C. This capsule is mounted in a cast aluminum enclosure at the end of the arm opposite the support column. A shutter, operated by a rod which protrudes from the side of the enclosure, permits a narrow slit of radiation to pass through the plastic window in the enclosure when the rod is pulled out (ON) and shuts off all radiation when the rod is pushed in. (See attached drawings.)

There are two possible hazards from any radioactive material: External (receipt of an excessive amount of radiation from a source outside the body), and internal (ingestion of radioactive material into the body).

The FT-12 radioisotope is a relatively weak source of low energy (low penetrating power) radiation. Further, the narrow slit (1/2" x 1/16") in the shutter greatly reduces the radiation everywhere except directly in front of the plastic window. It is virtually impossible, under normal circumstances, to receive an appreciable radiation dose at a location other than directly in front of the plastic window when the shutter is open. While it is recommended that personnel do not place their hands in front of the plastic window when the shutter is open, as there is no necessity for doing so, it would require several hours for the hand to receive an excess radiation dose.

The primary potential hazard of radioactive material in general is ingesting them into the body where they can expose vital organs to their ionizing radiation at very close range. This hazard is of primary concern where radioactive material exists in a form which could be absorbed into the body. In the FT-12, however, the radioactive material is sealed by double fusion welds into a stainless steel capsule. At manufacture, and again at installation, this capsule is subjected to rigorous tests capable of detecting the leakage of five millionths of one percent of the contents. Thus, as long as the source capsule is not smashed or punctured in some way, there is essentially no danger of radioactive material being released. As an additional precaution, the regulatory agencies require that some licensed individual inspect the source and shutter mechanism and conduct a leak test at periodic (six months) intervals.

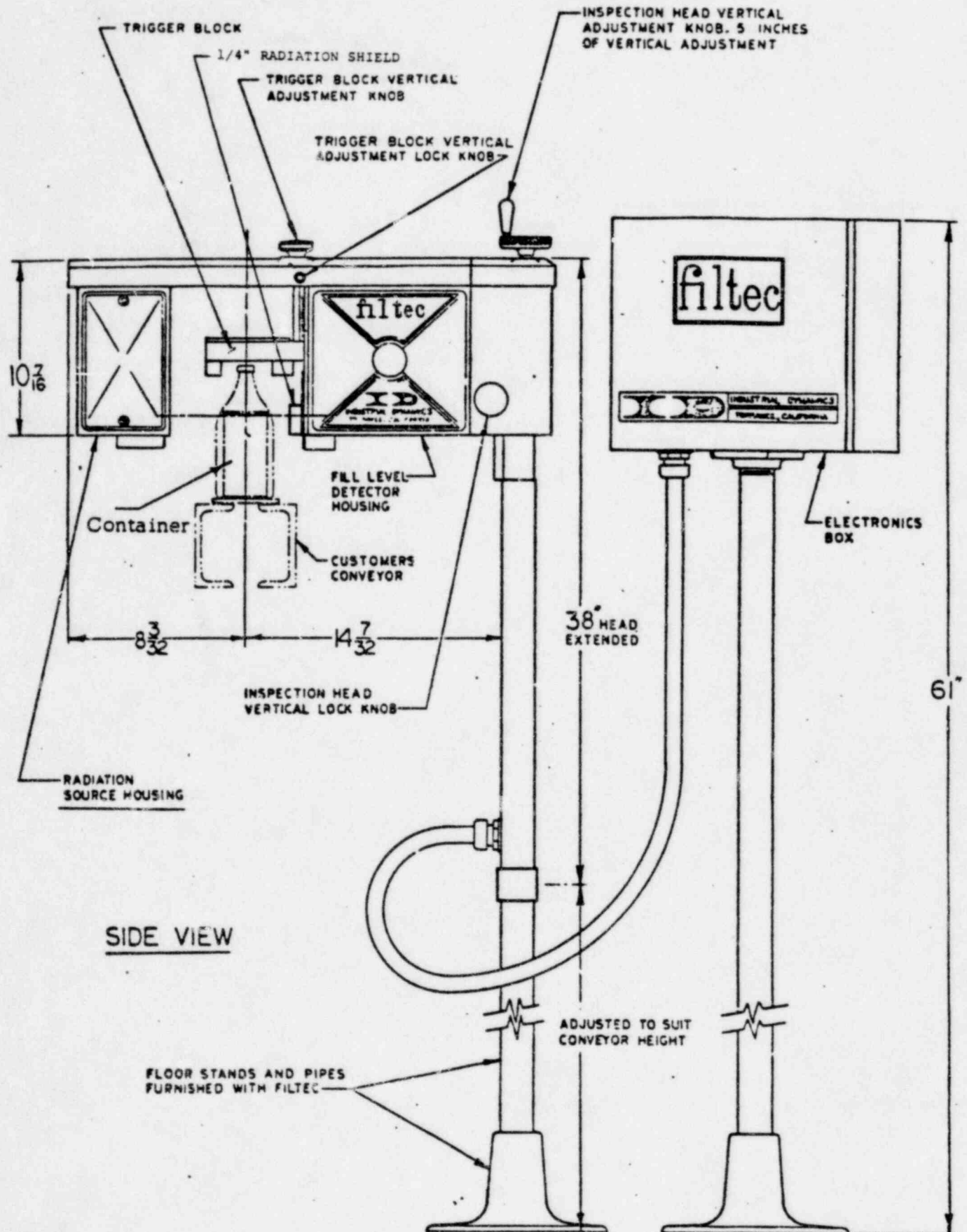
RADIOLOGICAL SAFETY (Continued)

While the possibility is extremely remote that anything could happen to the FT-12 to create a hazard from the radioactive material it contains, the precautions are quite simple and should be adhered to as should the applicable regulations.

You have been supplied with a copy of the Rules, Regulations and registration requirements for your location, however, the following is a brief synopsis of the general requirements:

1. Do not open or tamper with the enclosure containing the radioisotope source.
2. Do not place the hands between the source and detector when the shutter is open (ON).
3. Have inspection and wipe tests performed by a properly licensed person at the specified six (6) month intervals (Industrial Dynamics' personnel can do this). Keep a record of each inspection and test.
4. In the case of an accident which crushes or punctures the source enclosure, seal off the area, cover the FILTEC and surroundings with a plastic sheet or tarpaulin and call Industrial Dynamics immediately.
5. Do not relocate or dispose of the FILTEC without proper approval. A person with a Specific License must handle these functions.
6. If you have any questions, call Industrial Dynamics.

FILL LEVEL INSPECTION SYSTEM



FILTEC INSPECTION SYSTEM

LABELS ATTACHED TO FILTEC MODEL FT-12 INSPECTION SYSTEM CONTAINING RADIOISOTOPE SOURCE. THE INFORMATION ON THESE LABELS IS VERY IMPORTANT AND SHOULD BE FOLLOWED IN EVERY DETAIL.

NOTICE

The receipt, possession, use and transfer of this device are subject to a general license or equivalent and the regulations of the U.S. NRC or of a state with which the NRC has entered into an agreement for the exercise of regulatory authority. This device shall not be transferred, abandoned, or disposed of except by transfer to a person holding a specific radioactive material license to receive this device.

Operation of this device shall be immediately suspended until any necessary repairs have been made if there is any indication of possible failure or damage to the shielding or containment of radioactive material, or the ON-OFF mechanism or indicator.

This device shall be tested for proper operation of the ON-OFF mechanism and indicator at intervals not to exceed six months.

The sealed radioactive source contained in this device shall be tested at installation and every six months thereafter for leakage of radioactive material.

Maintenance, tests or other service involving the radioactive material, its shielding and containment shall be performed by persons holding a specific radioactive material license to provide these services.

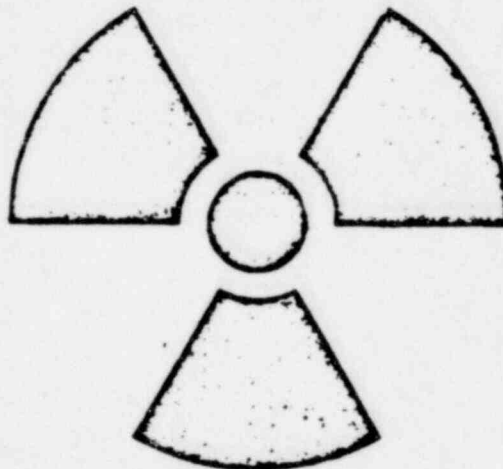
Installation, relocation, maintenance, repair and initial radiation survey of this device and leak testing, installation, replacement, and disposal of sealed sources containing radioactive material used in this device shall be performed only by persons holding a specific radioactive material license to provide these services.

Removal of this label is prohibited.

Serial No. _____ Model No. _____



Industrial Dynamics Co., Ltd.
2927 Lomita Boulevard
Torrance, California 90509



CAUTION RADIOACTIVE MATERIAL

See Instruction Manual before attempting to operate, repair, clean or move this device.

SOURCE

Material: Americium -241

Amount: 100 Millicuries

Date of Mfr: _____

Removal of this label is prohibited.



Industrial Dynamics
Torrance, California

NOTICE

This unit is approved for the inspection of any food product, if operated in accordance with the FILTEC Instruction Manual. Food products would have to be continuously exposed to the radiation beam for a period of 5 years to exceed the 1000 RAD dose limit, as established by the Food and Drug Administration.

The radiation level around this FILTEC equipment is very low, but precautions should be taken to prevent direct exposure to any part of the body to the radiation beam for extended periods of time.

CAUTION

RADIOACTIVE MATERIAL

**DO NOT OPEN LOWER SEALED
COVER. THIS PORTION OF THE
BOX CONTAINS NO SERVICEABLE
PARTS.**

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
SACRAMENTO, CA 95814
(916) 445-0931

May 13, 1985



NOTICE OF RECEIPT OF RENEWAL APPLICATION FOR REVIEW

Industrial Dynamics Company, LTD.
Attn: Fred L. Calhoun
P. O. Box 2945
Torrance, CA 90509

REFERENCE: DOCKET NUMBER: 042685-1586
LICENSE NUMBER: 1586
APPLICATION DATED: April 25, 1985

The above captioned renewal application has been received and docketed for review. Your application is deemed timely, and accordingly, the license will not expire until final action has been taken by the Department.

This application will be taken up in the order received. We are currently considering renewal applications received in the month of: May, 1984

Correspondence or other communication concerning the above referenced application should be submitted in duplicate and should make clear reference to your assigned docket number pertaining to this specific request. Future requests, not related to the above request, will be assigned a new docket number.

Thank you.

RADIOACTIVE MATERIALS LICENSING
RADIOLOGIC HEALTH BRANCH

STATE OF CALIFORNIA
DEPARTMENT OF HEALTH

Page 1 of 3 pages

CORRECTED COPY

RADIOACTIVE MATERIAL LICENSE

CORRECTED COPY

Pursuant to the California Administrative Code, Title 17, Chapter 5, Subchapter 4, Group 2, Licensing of Radioactive Material, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, use, possess, transfer or dispose of radioactive material listed below; and to use such radioactive material for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules, regulations and orders of the Department of Health now or hereafter in effect and to any conditions specified in this license.

1. Licensee	Industrial Dynamics Company, Ltd.	3. License No.	GL 1586-70 is hereby amended in its entirety	Amendment No. 9
2. Address	2927 Lomita Boulevard Torrance, CA 90509	4. Expiration date	May 26, 1985 ←	
Attention:	Fred L. Calhoun Radiation Safety Officer	5. Inspection agency	Los Angeles Co. Dept. of Health Services	

6. Nuclide	7. Form	8. Possession limit
A. Americium 241	A. Sealed source (Industrial Dynamics Co., Ltd. Model 06110)	A. Not applicable (See Condition No. 11)
B. Americium 241	B. Sealed source (Industrial Dynamics Co., Ltd. Model 06765)	B. Not applicable (See Condition No. 11)

9. Authorized use

A. The licensee is authorized to distribute a Fill Level Device Filtec Model FT-12, manufactured by the licensee, to persons generally licensed pursuant to Title 17, California Administrative Code, Section 30192(c)(1).

B. The licensee is authorized to distribute Case Inspection Device Filtec Model CI-2, manufactured by the licensee, to persons generally licensed pursuant to Title 17, California Administrative Code, Section 30192(c)(1).

10. This license is subject to an annual fee of twenty (20) dollars due and payable on the anniversary of the date of issue of the associated manufacturing License No. 1389-59, May 26, 1966.

11. Each Model FT-12, Fill Level Device; and Model CI-2, Case Inspection Device, distributed under this license shall contain not more than 100 millicuries of Americium 241.

(cont'd)

RADIOACTIVE MATERIAL LICENSELicense Number 1586-70 G

Supplementary Sheet

Amendment Number 9

continued

12. The device authorized by Item 9 of this license to be distributed to general licensees shall be only that device of the manufacture of which is authorized by California Radioactive Material License No. 1389-59 and which is described in the following documents:
- (a) letters and enclosures dated June 6, 1972 and June 23, 1972 signed by Fred L. Calhoun,
 - (b) Radiation Rules and Regulations Filtec Model FT-12 (2/17/71),
 - (c) Radiation Rules and Regulations Filtec Model CI-2.
13. Each Model FT-12 or CI-2 device distributed under this license shall bear durable, clearly visible labels containing the radiation caution symbol of purple or magenta on a yellow background, the words "Caution-Radioactive Material," the quantity and isotope contained, the date of assay, the manufacturer's name and address, the Model and serial number of the device head and statements as follows:
- (a) "The receipt, possession, use and transfer of this device are subject to a general license or equivalent and the regulations of the U.S. NRC or of a state with which the NRC has entered into an agreement for the exercise of regulatory authority."
 - (b) "This device shall not be transferred, abandoned or disposed of except by transfer to a person holding a specific radioactive material license to receive this device."
 - (c) "Operation of this device shall be immediately suspended until any necessary repairs have been made if there is any indication of possible failure or damage to the shielding or containment of radioactive material, or the on-off mechanism or indicator."
 - (d) "This device shall be tested for proper operation of the on-off mechanism and indicator at intervals not to exceed six months."
 - (e) "The sealed radioactive source contained in this device shall be tested at installation and every six months thereafter for leakage of radioactive material."
 - (f) "Maintenance, tests or other service involving the radioactive material, its shielding and containment shall be performed by persons holding a specific radioactive material license to provide these services."
 - (g) "Installation, relocation, maintenance, repair and initial radiation survey of this device and leak testing, installation, replacement, and disposal of sealed sources containing radioactive material used in this device shall be performed only by persons holding a specific radioactive material license to provide these services."

(cont'd)

RADIOACTIVE MATERIAL LICENSE

License Number 1586-70-GL

continued

Supplementary Sheet

Amendment Number 9

13. (cont'd)

- (h) "Each label required under this condition shall bear the legend 'Removal of this label is prohibited.'"

14. The licensee shall furnish each licensee to whom it transfers a device described in this license with the following:

- (a) A copy of an instruction manual containing the radiation safety instruction sheet.
- (b) (1) For devices installed in California, a copy of the general license contained in Title 17, California Administrative Code, Section 30192(c)(1), Section 30192(c)(2), and all sections of Title 17, California Administrative Code referenced in Section 30192(c)(2); the material should be prefaced by the words 'Excerpts from California Administrative Code, Title 17' or other appropriate title.
- (2) For devices installed in Agreement States other than California, either the same material stated in Condition 14.(b)(1) above, with a statement that regulations of the state in which the device is installed are similar to California regulations, or equivalent portions of regulations of the state in which the device is installed.
- (3) For devices installed in non-agreement states, either the same material stated in Condition 14.(b)(1) above, with a statement that U. S. Nuclear Regulatory Commission regulations are similar to California regulations, or Sections 31.5, 20.402, and 20.403 of Title 10, Code of Federal Regulations prefaced by the words 'Excerpts from Title 10, Code of Federal Regulations' or other appropriate title.
- (c) The address and telephone number of the nearest office of the agency having regulatory responsibility for byproduct material at the general licensee's address.

15. The licensee shall report all transfers of radioactive material under this license. Reports shall be filed with the agency having regulatory responsibility for byproduct material at the generally licensed recipient's address within 30 days after the end of each calendar quarter in which such transfer has occurred. These reports shall specify:

- (a) The name and address of the regulatory agency to whom the report is directed.
- (b) The authority for transfer, i.e., the name of the licensee specified in Item 1 of this license, and the license number specified in Item 3.
- (c) The name and address of the generally licensed recipient.
- (d) The numbers and models of devices, together with an identification of nuclides and quantities contained in each device transferred to said recipient.

Copies of all reports required by this Condition shall be maintained subject to inspection by representatives of the Department.

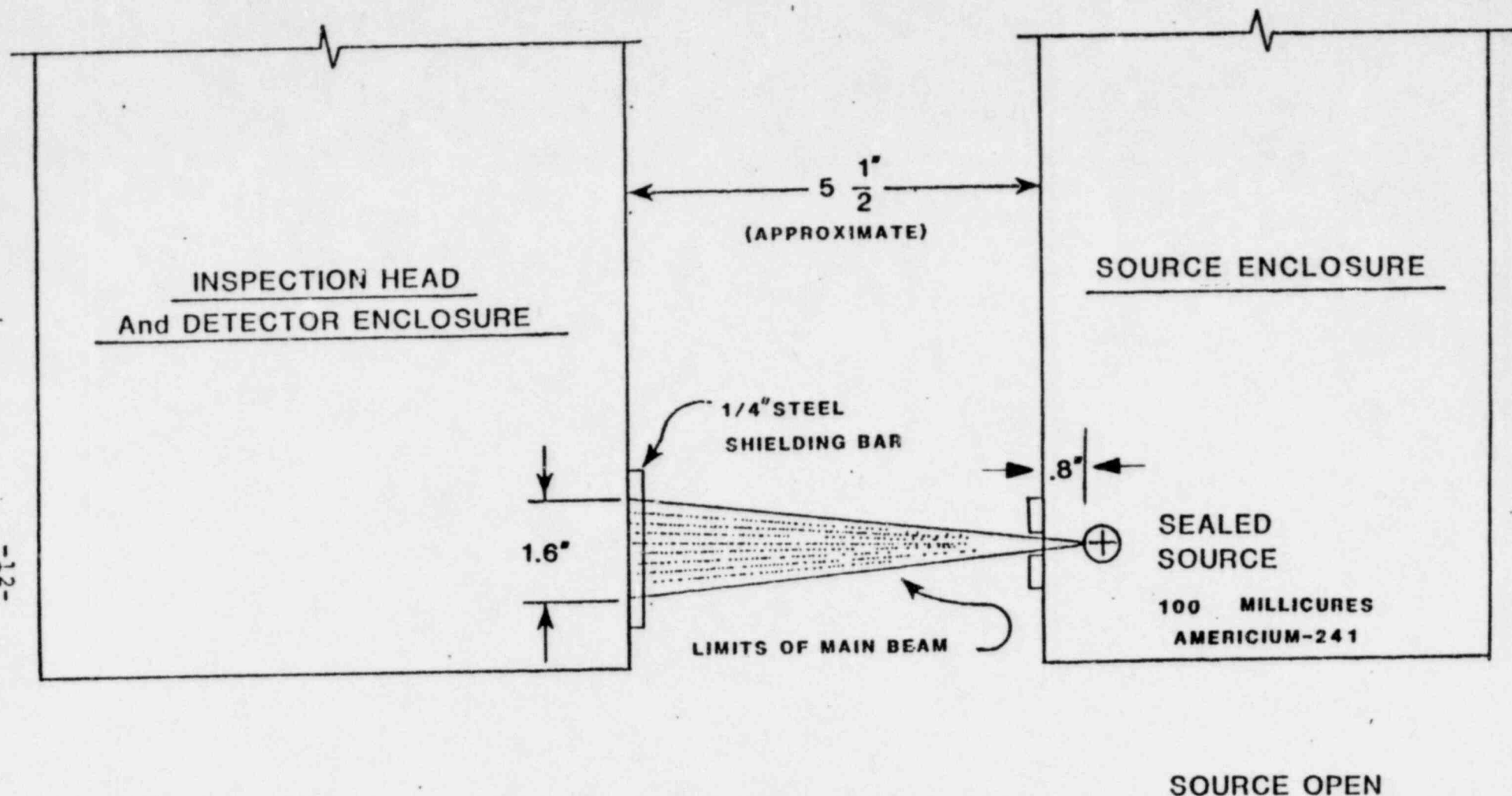
For the State Department of Health

Date September 21, 1978by 

III

RADIATION PROFILES (FIGURES I & II)

Attached are top and side radiation profiles, or Isodose Curves, of the FILTEC FT-12. These curves were obtained with the indicated instrumentation using a 100 millicurie Americium-241 source with the geometry of the activity, collimator and mounting the same as that depicted for the production model. Note that no appreciable radiation is present outside the main beam in the side profile due to the collimator which is 1/16" by 1/2" by 1/2" deep.



NOTE: RADIATION LEVELS LESS
THAN .05 MR/HR OUTSIDE
MAIN BEAM .

ISODOSE CURVES

(SIDE VIEW)

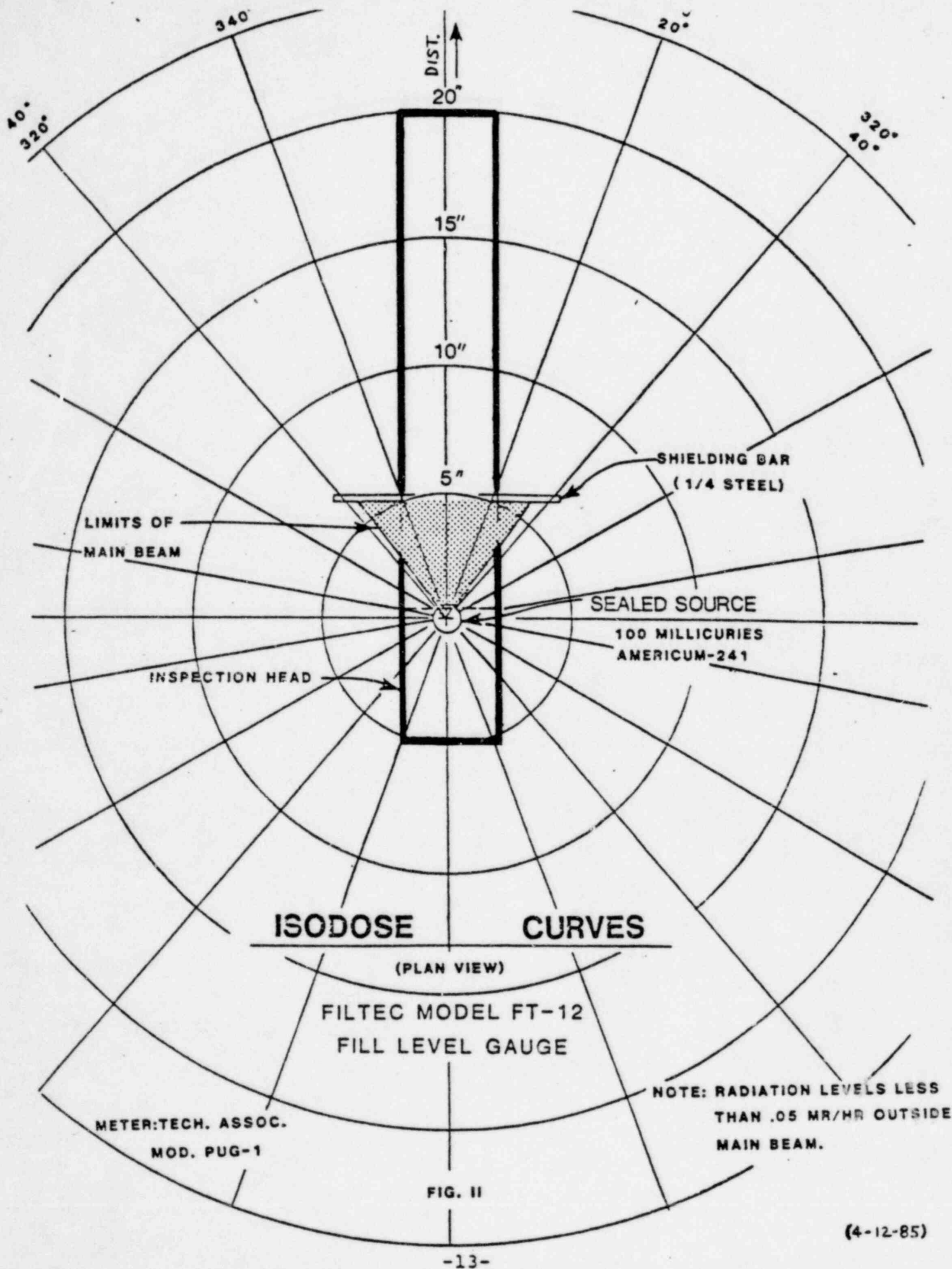
FILTEC MODEL FT-12
FILL LEVEL GAUGE

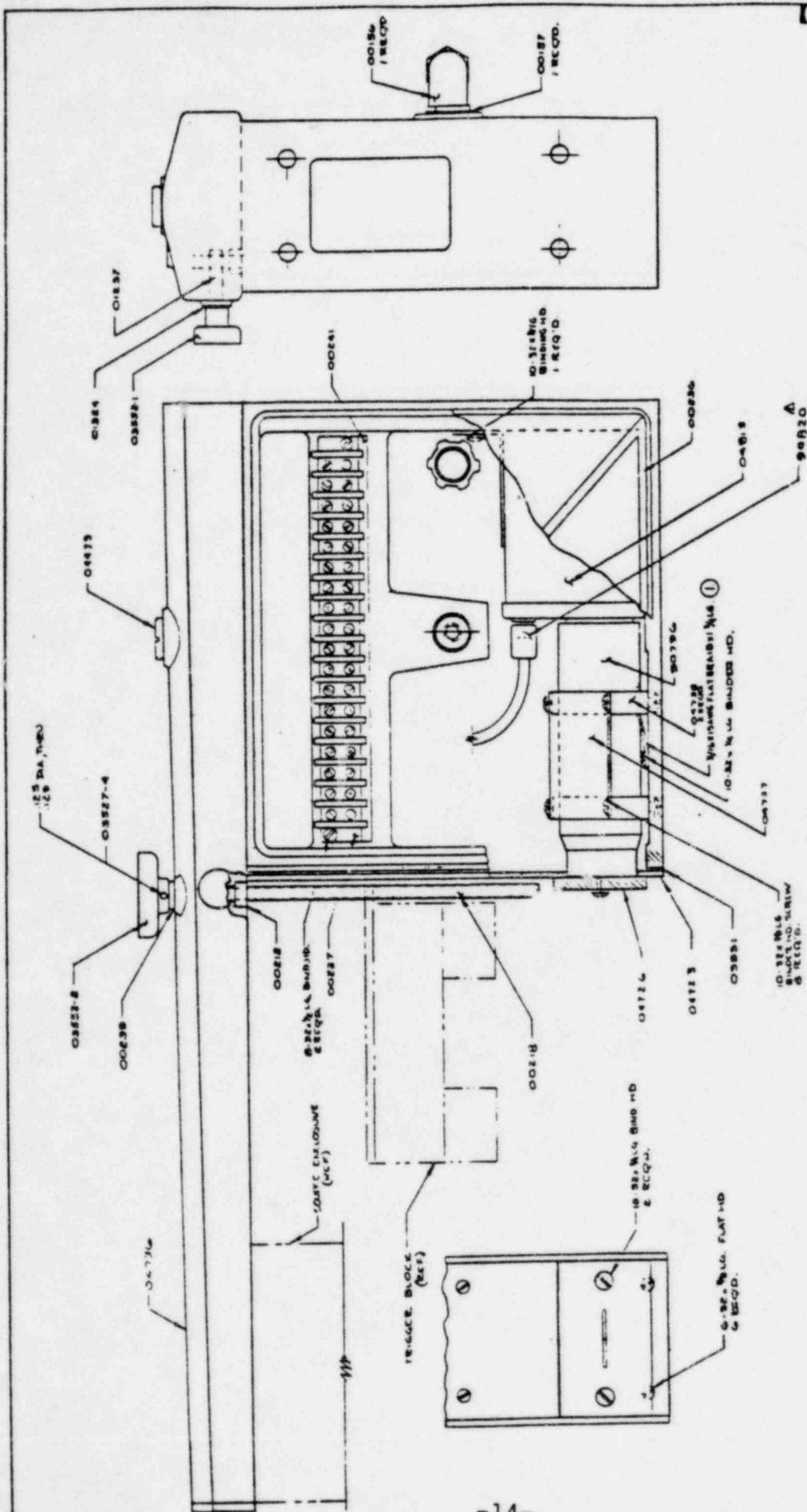
METER:TECH. ASSOC.
MOD. PUG-1

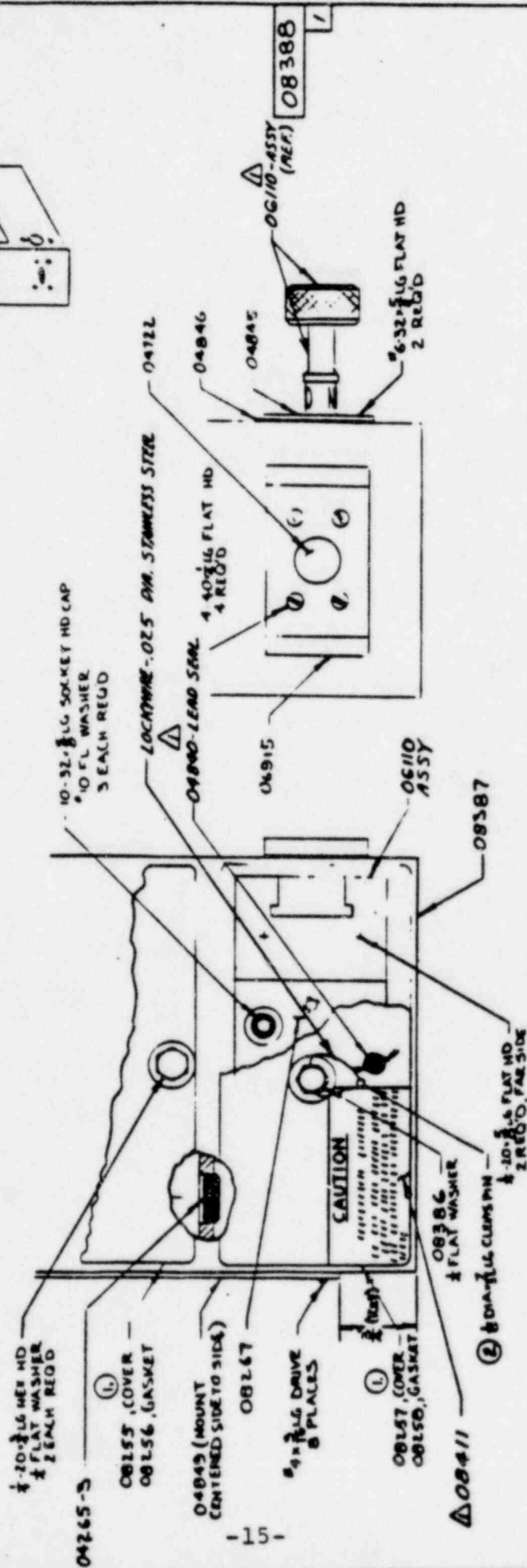
FIG.1

SCALE: 1/2"-1"

4-12-85





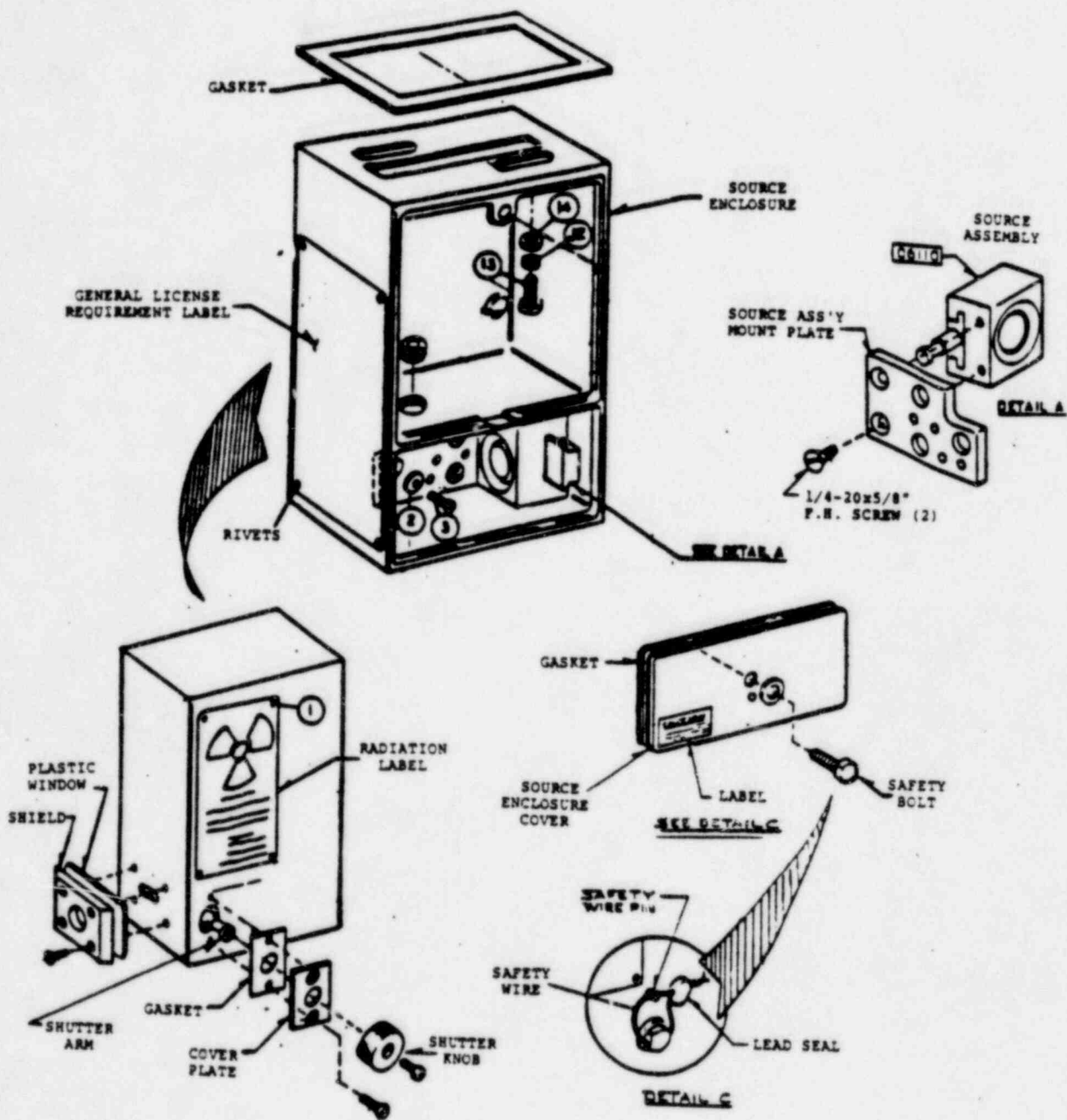


② CLEVIS PIN PRESS FIT FROM REAR SIDE OF COVER PLATE.

① BOND GASKET TO COVER

NOTES UNLESS OTHERWISE SPECIFIED

[illegible]



SOURCE ENCLOSURE ASSEMBLY
FILTEC MODEL FT-12



Del Monte Corporation • Research Center, P.O. Box 9004, Walnut Creek, CA 94598-2458 • Telephone: (415) 933-8000

FEDERAL EXPRESS

October 7, 1985

Ms. Toye L. Simmons
Radiation Specialist
Nuclear Regulatory Commission, Region III
799 Roosevelt Road
Glen Ellyn, IL 60137

Dear Ms. Simmons:

I want to thank you again for your help with regard to the nuclear materials matter at our plant in Plymouth, Indiana. I also want to reiterate Del Monte's concern about this incident, and to reinforce the corrective measures that will be taken.

While you were at our plant, I'm sure you were conscious of Ken Peacock's prompt attention to our obligations. Such responses are typical for our plant managers. After your inspection he telephoned both his line management and my corporate staff office to discuss the matter in detail. As I mentioned to you on the telephone, these kinds of matters are always brought to the immediate attention of our top production management.

Once assured that there were no immediate problems at hand; that this particular incident was under control, all of us immediately focused on the future -- how to prevent a recurrence. I assure you there is full management support in this regard. As a first step, we will issue a reminder notice to our plant managers this week pointing out our basic obligations relative to using and testing equipment containing nuclear material.

We concur with your suggestion to develop a centralized control system for all nuclear materials. However, we envision using this centralized approach more as a back up. That is, in addition to this central approach, we are going to develop a means to reassure ongoing proper management/control of the nuclear materials at each location where they are used. This will be the primary control point, with the central repository being used for reassurance purposes. In total, these control measures will assure us of knowing where the various materials are located, what the materials are, and that proper and timely testing is performed.

8511040396

1985

Ms. Toye L. Simmons
October 7, 1985
Page 2

As I think you will agree, the circumstances behind the incident at Plymouth were highly unusual and unique. Certainly, had there been any knowledge that the material was present in the equipment being discarded it would have been handled properly. As a matter of routine, those plant managers having any nuclear material on site know their resultant obligations. With the additional safeguards discussed above, we will also be able to reassure both full awareness and knowledge of the substances we have on hand and the necessary testing and handling procedures for them.

Very truly yours,

Del Monte Corporation

William Spain

William J. Spain
Director,
Corporate Quality Assurance
& Regulatory Affairs

WJS:lrc

cc: K. L. Peacock - Plymouth