

ENCLOSURE

NOTICE OF VIOLATION

Big Ben Corporation

Non-Licensee

The following violation was identified during an inspection conducted on April 30, 1985. The Severity Level was assigned in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C).

10 CFR 30.19 requires that:

- (a) Except for persons who initially transfer for sale or distribution self-luminous products containing promethium-147, any person is exempt from the requirements for a license set forth in Section 81 of the Act and from the regulations in Parts 20 and 30 through 35 of this chapter to the extent that such person receives, possesses, uses, transfers, owns, or acquires promethium-147 in self-luminous products manufactured, processed, produced, or initially transferred in accordance with a specific license issued pursuant to §32.22 of this chapter, which license authorizes the initial transfer of the product of use under this section.
- (b) Any person who desires to manufacture, process, or produce self-luminous products containing promethium-147, or to transfer such products for use pursuant to paragraph (a) of this section should apply for a license pursuant to §32.22 of this chapter which license states that the product may be transferred by the licensee to persons exempt from the regulations pursuant to paragraph (a) of this section of equivalent regulations of an Agreement State.

Contrary to the above, wrist watches containing promethium-147 have been imported and initially transferred for sale or distribution by Big Ben Corporation without a license issued pursuant to 10 CFR 32.22 permitting such transfer.

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

Pursuant to 10 CFR 2.201, you are required to submit to this office within 30 days of the date of this Notice, a written statement or explanation in reply, including: (1) admission or denial of the alleged violations; (2) the reasons for the violations if admitted; (3) the corrective steps which have been taken and the results achieved; (4) corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved.

Security or safeguards information should be submitted as an enclosure to facilitate withholding it from public disclosure as required by 10 CFR 2.790(d) or 10 CFR 73.21.

Date: JUN 20 1985

8507120018 850620
REG2 LIC30

PDR