

ENCLOSURE

NOTICE OF VIOLATION

Southeastern Plastics Corporation
New Brunswick, NJ

Docket No. 999-90001
License No. GL
EA 99-297

During an NRC inspection conducted between October 27 and November 23, 1999, at the Zeta Consumer Products Corporation, 555 Route 57 East, Washington Township, New Jersey, and at Southeastern Plastics Corporation, 15 Home News Row, New Brunswick, New Jersey, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG-1600, the violation is listed below:

10 CFR 31.5(c)(6) requires that any person who acquires, receives or possesses byproduct material in a device pursuant to the general license in 10 CFR 31.5(a), not abandon the device containing byproduct material.

Contrary to the above, at some time prior to October 1999, the licensee abandoned an Ohmart gauge containing 1200 millicuries of krypton-85, a byproduct material, that was acquired by the licensee in 1991, in that the device was found in a warehouse at the Zeta Consumer Products Corporation, 555 Route 57 East, Washington Township, New Jersey, where it was to be sold at auction. (01013)

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

The NRC has concluded that information regarding the reason for the violation, and the corrective actions taken and planned to correct the violation and prevent recurrence were adequately described during the inspection, and are already adequately addressed on the docket in the NRC inspection report and in the letter transmitting this Notice. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be placed in the NRC Public Document Room (PDR). Therefore, to the extent possible, the response should not include any personal privacy or proprietary information so that it can be placed in the PDR without redaction.

Dated this 29th day of December 1999