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FOR IMMEDIATE RELEASE  
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NRC STAFF PROPOSES \$37,500 CIVIL PENALTY AGAINST BABCOCK & WILCOX  
FOR ALLEGED VIOLATIONS OF NRC REQUIREMENTS AT LYNCHBURG PLANT

The Nuclear Regulatory Commission staff has proposed a \$37,500 civil penalty against Babcock & Wilcox Company for alleged violations of NRC requirements at its Naval Nuclear Fuel Division plant near Lynchburg, Virginia.

In a letter and Notice of Violation, dated April 6, 1993, Stewart D. Ebnetter, Administrator of the NRC's Region II office in Atlanta, said the action was being proposed because of multiple examples of failure to use adequate criticality safety controls, failure to conduct required audits or to correct audit findings, and failure to properly establish nuclear criticality safety limits and controls for activities involving special nuclear material.

The NRC said the base civil penalty for these violations was \$12,500 but that it was increased in this case because the majority of the violations were identified by the NRC or by the plant staff as a result of questions raised by the NRC during inspection activities, problems were not corrected following their identification during audits, and because of the significant length of time some of the violations existed.

Standards require maximum permissible concentrations of solution in large containers used to hold fissionable material to be set according to the amount of neutron absorbing material present in hollow, cylindrical devices containing boron oxide which are called Raschig rings. Over time, the volume of these rings decreased due to exposure to acid environments. The NRC said that the company did not perform tests at required intervals to check for such volume decrease. The NRC also said the company conducted activities related to the use and storage of special nuclear material without establishing or at variance with limits and controls and that audits of work and materials at the plant were not conducted in compliance with regulatory requirements.

The company has 30 days from receipt of the Notice of Violation to either pay the civil penalty or to protest it, in whole or in part.

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