

  
**SAINT-GOBAIN**  
**PERFORMANCE PLASTICS**

May 25, 2004

Office of Enforcement  
USNRC - Region 1  
475 Allendale Road  
King of Prussia, PA 19406-1415

Subject: Reply to a Notice of Violation EA-04-035

Dear Director of the Office of Enforcement:

This letter is in response to the notice of violation and proposed imposition of civil penalties sent on May 5<sup>th</sup>. In this letter, four violations were outlined, one carrying a civil penalty of \$7500.

1. **Severity Level III -Civil penalty-** Failure to properly dispose of a thickness gauge containing byproduct material.
2. **Severity level IV-**Failure to appoint an individual responsible for having knowledge of the appropriate regulations and actions.
3. **Severity level IV-** Failure to report to the NRC within 30 days the transfer of an exit sign containing tritium.
4. **Severity level IV-** Failure to maintain labels affixed to the device after receipt, bearing a statement that the removal of the label is prohibited and that the employees are to comply with all instructions and precautions provided by such labels.

The reasons and causes for each violation have been outlined previously in our letters dated February 5, 2004 and April 5, 2004. Even though the actions leading up to these violations were not intentional or willful, Saint Gobain agrees that these violations have occurred.

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Saint-Gobain has also identified corrective actions associated with these violations to bring the site back into compliance with NRC regulations and prevent future occurrence. All corrective actions stipulated by NRC were implemented by 2/16/04. Additional actions are planned to enhance our radiation safety program and these actions will be completed by July 30, 2004.

Saint Gobain has agreed to pay the civil penalties imposed by the NRC due to these violations. A check has been made out to the NRC in the full amount of the penalties assessed. Please contact the undersigned for further questions or clarification.

Sincerely,



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Plant Manager  
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