



Westinghouse Electric Company  
Hematite Facility  
3300 State Road P  
Festus, MO 63028

March 28, 2005

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555

Reference: SNM-33 (Docket 70-0036)

Subject: REPLY TO NOTICE OF VIOLATION  
Response to NRC Inspection Report 070-00036/2004-004(DNMS)

Westinghouse Electric Company (Westinghouse) is in receipt of the Notice of Violation (NOVs) dated February 1, 2005. Westinghouse Hematite has issued a non-conformance report for this NOV in the Westinghouse Corrective Actions Process (CAPs) database. A root cause has been completed for this issue and will be transmitted under separate letter.

#### REASON FOR THE VIOLATION

The root cause team has determined the following root causes of the violation:

1. Inadequate management system and control of criticality safety program implementation. This is evident from the following causal factors:
  - a. Failure of contractor personnel to correctly interpret NCSE and NCSD requirements and guidance for setup and use of dry decontamination table work areas. Specifically, negative air machines (NAMs) were not recognized as containers by project personnel.
  - b. Less than adequate communications between work groups and contractor organizations.
2. A perception that production (schedule) is more important than safety or procedural adherence. Failure to incorporate NCSE requirements into written procedures is a result of this environment.

The root causes identified for this loss event are management system and control failures. These failures underlie the human errors that triggered this loss event.

## NEAR-TERM CORRECTIVE ACTIONS

In response to the NRC inspection findings (including the Notice of Violation that triggered this root cause analysis) discussed on December 3, 2004, work with SNM was stopped on the Hematite primary interference removal project by the Westinghouse Hematite project management team. Two actions were taken to identify remedial and interim corrective actions:

1. A comprehensive review was conducted of the flow down of all NCSE requirements into implementing procedures
2. Walk downs were conducted of the WEC Hematite Facility to verify implementation of NCSE requirements in practice throughout the site.

All corrective actions identified to address identified issues will be implemented prior to restart of decontamination work on the project. A commitment will be added to CAPs Issue Report 04-340-W005 that confirms completion of these near term and remedial corrective actions prior to restart of work.

## LONG-TERM CORRECTIVE ACTIONS

Long-term corrective actions intended to prevent recurrence of this issue are listed in relation to the root cause they are expected to prevent:

1. Inadequate management system and control of criticality safety program implementation.
  - a. Restructure organization to consolidate and integrate project under Westinghouse management.
  - b. Restructure the contractor's contract to promote alignment with overall project goals.
  - c. Proactively engage personnel to enable better understanding of the project policies, procedures and work practices.
2. A perception that production (schedule) is more important than safety or procedural adherence. Failure to incorporate NCSE requirements into written procedures is a result of this environment.
  - a. Set site project expectations regarding safety, procedure adherence and D&D milestones to project personnel.
  - b. Conduct meetings with work teams, first line supervisors and managers to discuss expectations, roles and responsibilities.
  - c. Conduct training seminars with supervisors to reinforce oversight/leadership expectations.
  - d. Prominently display project safety signs/event clocks.
  - e. Perform a review to verify flow down of NCSE requirements into procedures and postings

In addition, to correct the causal factor of the dry decontamination table work area being constructed without adequate procedural guidance, a working level document for the layout and use of the dry decontamination table and work areas was prepared.

DATE OF FULL COMPLIANCE

Full compliance has been achieved as of the date of this letter. Westinghouse will continue to proactively engage personnel to ensure work practices are understood and can be adhered to. Based on Westinghouse's commitment to prevent recurrence of this issue an effectiveness evaluation will be performed in approximately six months to evaluate the effectiveness of the corrective actions.

If you have any questions concerning this response, please contact me at (314)810-3368.

Sincerely,

H. A. Sepp  
Director, Decommissioning Project  
*Official Record Electronically Approved in EDMS 2000*

cc: Regional Administrator, NRC Region III  
Mr. Jamnes Cameron, NRC Region III  
Mr. Christopher Martin, NRC Region III  
Ms. Amy Snyder, NRC Headquarters  
Mr. Henry Sepp (Westinghouse)  
Mr. A. Joseph Nardi (Westinghouse)