



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351

January 21, 2000

SUBJECT: ALLEGATION NO. RIII-99-A-0172

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This is in reference to our letter to you dated November 2, 1999, which indicated that we would initiate action to review your concerns related to activities at the ABB/CE facility located in Hematite, Missouri. The NRC has completed its review of the concern you brought to our attention on October 13, 1999. The enclosure to this letter describes your concern and how it was resolved.

Thank you for informing us of your concern. We take our safety responsibilities to the public very seriously and appreciate your willingness to bring this issue to our attention. Based on the results of our review, we consider this issue closed.

If you disagree with our conclusion or wish to provide additional information, please contact the Region III Office Allegation Coordinators by writing to the U.S. Nuclear Regulatory Commission, Region III, at 801 Warrenville Road, Suite 255, Lisle, Illinois 60532-4351, or calling the NRC Region III switchboard toll free at (800) 522-3025 or the NRC Safety Hotline at (800) 695-7403. Your cooperation is appreciated.

Sincerely,

*Patrick J. Hanrahan*

Cynthia D. Pederson, Director  
Division of Nuclear Materials Safety

Enclosure: As stated

cc w/enclosure: AMS File No. RIII-99-A-0172

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Information in this record was deleted  
in accordance with the Freedom of Information  
Act, exemptions 7c  
FOIA-2004-0234

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Concern 1:

The security force may have allowed an ABB Combustion engineering employee into the plant on August 27, 1999, without the proper escort.

NRC Conclusion:

This concern was referred to the licensee for its investigation. The licensee's investigation was evaluated by several members of the Region III technical staff. In our referral letter to the licensee we amplified your concern to include the following information:

On August 26, 1999, Martin B. Herman (normally an employee of Special Response Corporation) told a security guard that he was an ABB Combustion employee. Accompanying Martin Herman was Jack Mayoros, head of ABB Combustion Engineering Security. Mr. Mayoros stated that Mr. Herman was an ABB Combustion Engineering employee. Because Mr. Mayoros did not have escort privileges a security officer escorted Mr. Herman around the site. The following morning Mr. Herman was back at the plant and may not have had the appropriate escort.

The licensee investigation determined that Mr. Herman did not enter the controlled area of the facility on August 27, 1999. The licensee confirmed that Messrs. Herman and Mayoros both signed the visitor control register in anticipation of entering the controlled area of the facility. However, they subsequently determined that their business could be conducted in the administration building and did not enter the restricted area.

Based on the NRC's evaluation of the licensee's investigation results, we did not substantiate that the security force may have allowed an employee into the plant without the proper escort. The NRC considers this matter closed.