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October 20, 2005

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U.S. Nuclear Regulatory Commission  
Director, Office of Nuclear Material Safety & Safeguards  
Attention: Document Control Desk  
Mail Stop T-8A33, Two White Flint N, 11545 Rockville Pike  
Rockville, MD 20852-2738

Docket No. 40-3392  
License No. SUB-526

RE: "NRC Inspection Report 40-3392/2005-005 and Notice of Violation" NRC letter dated September 30, 2005

Dear Sirs:

This letter is our response to the NRC Inspection Report 40-3392/2005-005 and Notice of Violation, dated September 30, 2005.

During an NRC inspection conducted from August 29, 2005 through September 1, 2005, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below.

License Condition 10 of NRC License No. SUB-526, Amendment No. 16, authorizes, in part, the use of licensed materials in accordance with the statements, representations, and conditions in chapter 1 through 7 of the license application dated January 30, 2003.

Chapter 2, Section 2.6 of the license application, dated January 30, 2003, requires in part, that plant operations shall be conducted in accordance with written Standard Operating Procedure Manuals.

Section 2 paragraph 4.5.2 of the Health Physics Procedure Manual, "Procedure for Contamination Control," requires in part, that when decontaminating spills in uncontained areas, mark off the area with radiation or safety ribbon to prevent fork trucks or personnel from spreading the contamination.

Contrary to the above, on August 31, 2005 the North Pad area had not been marked off with radiation or safety ribbon to prevent fork trucks or personnel from spreading visible triuranium octoxide ( $U_3O_8$ ) and uranium tetrafluoride ( $UF_4$ ) contamination

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

IE07

**Reason for this Violation:**

The licensee has determined the failure to take the required actions to cordon off the north pad area with safety or radiation ribbon to prevent fork trucks or personnel from spreading visible triuranium octoxide ( $U_3O_8$ ) and uranium tetrafluoride ( $UF_4$ ) contamination was due to the following:

1. Management failed to enforce compliance with the Health Physics Procedures Manual Section 2 paragraph 4.5.2. This procedure requires in part, that when decontaminating spills in uncontained areas, mark off the area with radiation or safety ribbon to prevent personnel or equipment from spreading contamination.

**Corrective Actions Taken:**

The following corrective actions have been taken:

1. The loose visible contamination was immediately removed. COMPLETE
2. The scrap steel components were loaded into an intermodal container for shipment to low level waste burial site. COMPLETE
3. Contamination surveys were performed in the north pad area and adjacent areas and there was no spread of contamination due to the failure to have the area cordoned off. COMPLETE

**Corrective Actions Planned to Avoid Further Violations:**

Since the North Pad is used primarily as a staging area for gross decontamination in preparation for waste disposal the following actions will be taken to prevent a recurrence:

1. Due to the frequent use of the pad, the radiation/contamination barrier ribbon used to cordon off the area will be maintained continuously. ONGOING
2. Health Physics personnel will periodically inspect the area to ensure the postings (barrier ribbon) remain in tact. ONGOING
3. Health Physics personnel will perform periodic contamination surveys of the North Pad and surrounding adjacent areas to ensure no significant spread of contamination. ONGOING
4. The Regulatory Affairs Manager will review Health Physics Procedures Manual Section 2 paragraph 4.5.2 and communicate these corrective actions with MTW managers who periodically inspect the area. COMPLETE

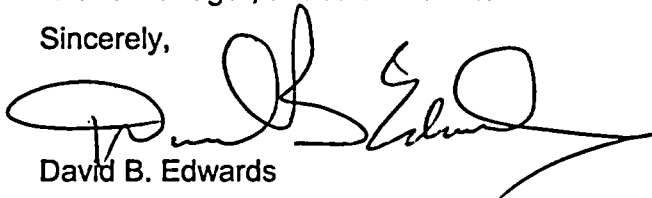
**Commitment to Return to Compliance:**

Honeywell-MTW returned to compliance with the requirements of the license cited herein on September 1, 2005 when the gross contamination was removed from the North Pad and the pad was properly cordoned off with radiation safety ribbon.

Any other actions discussed in this correspondence represent management discretionary actions. They are described to the NRC for information and are not regulatory commitments.

Questions regarding this correspondence can be addressed to: Jim Tortorelli, Regulatory Affairs Manager, at 618-524-6221.

Sincerely,



David B. Edwards  
Plant Manager

cc: Regional Administrator (UPS: 404-562-4731)  
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