



December 11, 1995

Docket No. 70-0036
License No. SNM-33

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

Subject: REPLY TO A NOTICE OF VIOLATION

Dear Sirs:

Enclosed is Combustion Engineering, Inc.'s reply to the Notice of Violation dated November 27, 1995, concerning NRC Inspection Report No. 070-00036/95004(DNMS), Reference EA 95-264. In addition to the training mentioned in the response to the violation, training was also conducted to reemphasize the importance of following regulatory procedures and postings. This training was followed by notices from senior management to managers and employees that complete compliance with each and every commitment in NRC License No. SNM-33 are prerequisites for the plant's operation, and that non-compliance is immediate reason for disciplinary action.

We will be glad to discuss any questions you have concerning our response. If you have any questions or need further information, please contact me or Dr. Earl Saito of my staff at (314) 937-4691.

Cordially yours,

COMBUSTION ENGINEERING, INC.


Robert W. Sharkey
Manager, Regulatory Compliance

RWS/RC378

cc: Regional Administrator, Region III

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**REPLY TO A NOTICE OF VIOLATION
INSPECTION REPORT 070-00036/95004 (DMNS)**

Response to Violation 070-00036/95004-01

Violation:

Safety Condition S-1 of Special Nuclear Material License SNM-33 requires that licensed material be used in accordance with the statements, representations, and conditions in Chapter 1 through 8 of the application dated October 29, 1993, with supplements.

Section 2.6 of Chapter 2 of the application dated October 29, 1993, requires, in part, that operations which affect licensed material be conducted in accordance with approved written procedures. These procedures provide the detailed instructions for equipment operation and material handling and the limits and controls required by the license.

Health Physics (HP) Procedure 307, "Performing Smear Surveys," requires in section V.B., "Contamination Control," that cleanup must be initiated immediately when contamination levels reach the limit of 10,000 dpm/100 cm². Furthermore, Section V requires that cleanup must be initiated by the beginning of the next shift when contamination levels reach the limit of 5,000 dpm/100 cm², and Section II requires that follow-up smears be taken after cleanup is completed.

Contrary to the above, on October 10, 1995, four areas identified as exceeding contamination limits of 5,000 dpm/100 cm² did not have any follow-up smears taken. In addition, on October 18, 1995, two other areas that were identified as exceeding contamination limits of 10,000 dpm/100 cm² did not have any cleanup actions immediately initiated to reduce contamination levels.

Response:

1. **Reason for the violation:** Combustion Engineering, Inc. admits the violation. The violation occurred because an adequate system did not exist to communicate smear survey results, status of cleanup between shifts and follow-up surveys conducted after cleanup.

2. **Corrective steps that have been taken and the results achieved:** A cleaning log which tracks issuance of smear sheets to the responsible supervisors and allows for timely follow-up by the Health Physics staff has been implemented. This cleaning log allows for closure of all smears which identify contamination above cleanup action levels. Tracking using a single sheet allows technicians, supervisors and managers to readily determine the status of areas which have been identified as contaminated above action levels. Employees have been trained on the mechanics of the new system.
3. **Corrective steps that will be taken to avoid further violations:** The cleaning log is reviewed daily by Regulatory Compliance supervision. Areas of concern are communicated to management through the daily exception report.
4. **The date when full compliance will be achieved:** The new program was fully implemented on November 10, 1995, and we are now in full compliance.