

April 26, 2007

Mr. Steven R. Penrod
General Manager
Paducah Gaseous Diffusion Plant
P.O. Box 1410
Paducah, KY 42002

SUBJECT: RESPONSE TO NOTICE OF VIOLATIONS 70-7001/2006-203-01 and
70-7001/2006-203-02

Dear Mr. Penrod:

We have reviewed your Reply to Notice of Violations (NOV) 70-7001/2006-203-01 and 70-7001/2006-203-02, dated March 28, 2007, and determined that you have adequately identified both the root causes of the violations and the corrective actions to prevent recurrence. In your reply, you propose to revise procedure CP4-EN-NS1104, "Nuclear Criticality Safety Engineer Response to Emergency, Off-Normal, and Process Upset Conditions," to clarify that if one or more controls credited for double contingency fails resulting in exceeding the parameter, then double contingency has failed unless you determine that at least two independent, unlikely, and concurrent changes in process conditions need to occur for a criticality to be possible and that associated controls are in place. In a phone conversation on April 24, 2007, your staff confirmed that when making the determination that at least two independent, unlikely, and concurrent changes in process conditions are required in order for a criticality to be possible, that only controls that were previously accounted for in the analysis would be considered. While we agree that such action to revise your procedure is appropriate, we want to ensure that it results in an appropriate reportability threshold, such that reported events meet expectations, and excessive reports are not submitted for issues falling below the reportability threshold. These violations remain open until we have verified implementation of your corrective actions during a future inspection. If you have any questions, please contact Thomas Marenchin, of my staff, at (301) 415-5148.

S. R. Penrod

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Sincerely,

/RA/

Melanie A. Galloway, Chief
Technical Support Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket No. 70-7001
Certificate No. GDP-01

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Sincerely,

Melanie A. Galloway, Chief
 Technical Support Branch
 Division of Fuel Cycle Safety
 and Safeguards, NMSS

Docket No. 70-7001
 Certificate No. GDP-01

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