

January 23, 2008

Mr. Jack D. Fuller  
Facility Manager, M/C A20  
Global Nuclear Fuel - Americas, LLC  
P.O. Box 780  
Wilmington, NC 28402

SUBJECT: RESPONSE TO NOTICE OF VIOLATIONS 70-1113/2007-203-02 AND  
70-1113/2007-203-03

Dear Mr. Fuller:

We have reviewed your Reply to Notice of Violations (NOV) 2007-203-02 and 2007-203-03, dated November 9, 2007, and Extension Request for Longer Term Corrective Action, dated January 4, 2008, and determined that, you have adequately identified both the root cause of the violation and the corrective action to prevent recurrence. The violations remain open until we have verified implementation of your corrective action during a future inspection.

In your reply, you state that violation 2007-203-03 appears to satisfy the requirements for a non-cited violation. Nuclear Regulatory Commission (NRC) Enforcement Policy Section VI.A.8 states that an NOV is warranted when a licensee identifies a violation as a result of an event where the root cause of the event is obvious or the licensee had prior opportunity to identify the problem but failed to take action that would have prevented the event. You identified that updates were needed to your Integrated Safety Analysis (ISA) summary during the investigation of an event involving a failed nuclear criticality safety (NCS) item relied on for safety (EN 43439). Audits of the additive station conducted by your NCS staff prior to the event, provided opportunity to identify the additional methods of substituting die lubricant for pore former that was the cause of event. Therefore, the NOV was warranted.

An NOV contains instructions regarding internal NRC distribution. When replying to NOV's in the future, please provide a copy to the Chief, Technical Support Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards (NMSS), and Regional Administrator, Region II. Your Reply to NOV 2007-203-02 and 2007-203-03 was not distributed to the Chief of the Technical Support Branch, as required.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," a copy of this letter will be available electronically in the public electronic reading room of the NRC's Agency-Wide Document Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/ADAMS.html>

J. Fuller

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If you have any questions, please contact Thomas Marenchin, of my staff, at (301) 492-3209.

Sincerely,

**/RA/**

Deborah A. Jackson, Chief  
Technical Support Branch  
Division of Fuel Cycle Safety  
and Safeguards,  
Office of Nuclear Material  
Safety and Safeguards

Docket No.: 70-1113

License No.: SNM-1097

cc: Scott Murray  
Global Nuclear Fuels - Americas, LLC

Beverly O. Hall  
North Carolina Department of Environmental  
Health and Natural Resources

J. Fuller

- 2 -

If you have any questions, please contact Thomas Marenchin, of my staff, at (301) 492-3209.

Sincerely,

**/RA/**

Deborah A. Jackson, Chief  
Technical Support Branch  
Division of Fuel Cycle Safety  
and Safeguards,  
Office of Nuclear Material  
Safety and Safeguards

Docket No.: 70-1113  
License No.: SNM-1097

cc: Scott Murray  
Global Nuclear Fuels - Americas, LLC

Beverly O. Hall  
North Carolina Department of Environmental  
Health and Natural Resources

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