

MEMO TO FILE

MAR 20 1974

MANAGEMENT MEETING - NUCLEAR METALS, INC., CONCORD, MASS.  
DOCKET NOS. 70-82 and 40-672  
LICENSE NOS. SNM-65 and SMB-179

On February 13, 1974, Paul R. Nelson and Peter Knapp met with Mr. W.B. Tuffin, President, and his staff, A. Gillman, R. Franks, and R. Robie. Also present was S. Levin, consultant for Nuclear Metals.

Mr. Nelson opened the meeting by describing available enforcement tools (enforcement letter, civil penalty, and cease and desist orders) and their purpose. He then described the conditions requiring a civil penalty, namely unsuccessful enforcement through documentation letters and recurring violations. Nelson then described the actions taken before levying a civil penalty. First a strongly worded enforcement letter followed by a meeting with the licensee if the letter failed to achieve compliance. It was explained that the management meeting was for the express purpose of ensuring the licensee was aware that a civil penalty would be levied if the condition was not corrected. Nelson pointed out that these steps had already been taken by Region I including a previous management meeting with them on March 21, 1973, and our recent inspection revealed recurring violations.

Mr. Tuffin was informed that Region I had given serious consideration to levying a civil penalty but had concluded it would not be appropriate at this time. It was explained we reached this decision because Nuclear Metals had taken action to resolve the violations previously noted but had overlooked the need for beta and gamma measurement. Further, Mr. Nelson stated that in this situation there was a need for Regulatory to have better clarified this need.

Mr. Nelson concluded by stressing the fact that now Nuclear Metals was fully aware of beta-gamma survey requirements and that the imposition of a civil penalty would depend on our findings during our next inspection, which would be conducted in the near future.

Knapp noted that it is Nuclear Metals responsibility at all times to take whatever action is necessary to protect health and safety and meet regulatory requirements.

He then stressed three areas that he particularly wanted to bring to the attention of Nuclear Metals:

- a. The need for beta and gamma as well as alpha evaluation. This was a reiteration of material already known to the licensee to assure that the questions was clearly settled in everyone's mind.

Knapp

Nelson

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- b. The question of whether adequate steps were being taken to assure that air samples were representative and that the employee's breathing zone was being monitored.
- c. The fact that certain actions of licensee employees, reported in Section 18 of Inspection Report 70-82/73-05 and 40-672/73-02 (specifically the employee and foreman actions of entering uncontrolled areas in contaminated clothing observed by inspectors during the visit of January 7, 1976) showed that even after the licensee had agreed to control contamination spread he had failed to do so. Knapp emphasized that findings of similar actions at subsequent inspections would show clear recurrence of a very significant violation.

Nuclear Metals' President expressed a strong desire to comply with all regulatory requirements, described and demonstrated actions they had taken to correct the problems and said that he looks forward to the next inspection which he felt confident would demonstrate compliance.

Peter J. Knapp, Senior  
Facilities Radiation Protection Section

Paul R. Nelson, Chief  
Radiological & Environmental  
Protection Branch