

**Specialty Materials**

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May 30, 2008

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US Nuclear Regulatory Commission  
Director, Office of Nuclear Material Safety & Safeguards  
Attention: Document Control Desk  
Mail Stop T8A33, Two White Flint N, 11545 Rockville Pike  
Rockville, MD 20852-2738

Docket No. 40-3392  
License No. SUB-256

Dear Sir or Madam:

This letter is our response to the NRC Inspection Report 40-3392/2008-002 and Notice of Violation dated May 7, 2008.

During an NRC inspection conducted on April 7 – April 10, 2008, a violation of NRC requirements was identified. In accordance with the requirements of NUREG 1600, "General Statement of Policy and Procedure for NRC Enforcement Actions," the violation described in the inspection report is listed below:

10 CFR 71.87(f) states that for each shipment of licensed material, the licensee shall determine that the package has been loaded and closed according to written procedures.

Contrary to the above, as of April 7, 2008, the licensee failed to ensure that radiological waste packages were closed according to written procedures. Specifically, the licensee's procedures for radiological waste were not adequate in that they failed to provide instructions on how to properly close radiological waste packages. Also, the procedures in place did not explicitly detail the requirements for loading packages.

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

**1) Reason for violation:**

Management was unaware of the requirement to have procedures specific to these activities.

**2) Actions taken and results achieved:**

Appropriate management members have been briefed on radioactive waste procedure requirements; shipments of radioactive waste have been temporarily suspended; development of procedures to address loading and closing radioactive waste packages has been initiated.

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3) **Corrective actions planned to avoid further violations:**

Shipments of radioactive waste have been suspended until approved written procedures which address loading and closing of radioactive waste packages have been issued.

4) **Date when full compliance will be achieved:** July 11, 2008.

If you have additional questions, please contact Mr. Larry Parscale, Regulatory Affairs Manager, at 618-524-6221.

Sincerely



Mitch Tillman  
Plant Manager

cc: File – RMDC  
L. Parscale

Regional Administrator (UPS: 404-562-4731)  
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