

August 8, 2008
EN-08-048

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Global Nuclear Fuel - Americas, L.L.C. (EA-08-123, EA-08-187)
Wilmington, NC
Docket No. 70-1113

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY-
\$16,250

This is to inform the Commission that a Notice of Violation and Proposed Imposition of a Civil Penalty (CP) will be issued on or about August 13, 2008 to Global Nuclear Fuel – Americas (GNF-A). This action is based on the circumstances surrounding an incorrect emergency action level declaration that stemmed from an event involving the introduction of moisture into a Dry Conversion Process (DCP) cooling hopper containing uranium dioxide on January 30, 2008.

The first violation, introduction of moisture into the DCP cooling hopper, resulted in a Severity Level (SL) III. This was due to the introduction of moisture into the cooling hopper containing uranium dioxide powder (i.e., above the safe critical mass limit). No actual consequences resulted from this event and it did not result in a nuclear criticality accident. At the Pre-Decisional Enforcement Conference (PEC), GNF-A stated that a criticality event was not possible due to one of two moisture control interlocks remained operational that prevented excess moderator from entering the cooling hopper and the system was undergoing maintenance testing. GNF-A later determined that the cooling hopper contained a safe mass of uranium dioxide and the moisture in the powder was within normal limits. At the PEC, GNF-A did not dispute the violation and implemented long-term corrective actions.

The second violation, SL III with a CP, is associated with the incorrect emergency action level declaration. At the PEC, GNF-A discussed its actions associated with declaration of the “Alert”, that included assembling personnel, characterizing the event, and declaring the “Alert”, based on information available at the time; GNF-A did not mention initially declaring the event as an “Off-Normal Condition”. GNF-A disputed whether a violation had actually occurred and thus did not implement any corrective actions. GNF-A initially declared the event as an “Off-Normal Condition” and eleven minutes later upgraded the event to an “Alert”, without obtaining any new information. The staff believes that GNF-A failed to follow its own procedure that would initially categorize the event as an “Alert”, vice “Off Normal Condition”, based on information gathered at the time of the event that indicated a potential for criticality exists from an unsafe mass.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice
Telephone Notification of Licensee

August 13, 2008
August 13, 2008

The State of North Carolina will be notified.

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