UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

October 22, 2008

Mr. Dwight Ferguson
President
Nuclear Fuel Services, Inc.
P.O. Box 337, MS 123
Erwin, TN 37650

SUBJECT: CORRECTED NRC INSPECTION REPORT NO. 70-143/2008-002

Dear Mr. Ferguson:

This letter refers to the inspection conducted at your Erwin, TN on April 6, 2008 to July 5, 2008. A procedure number was omitted in Section 6 on page 9 of the original inspection report and Section 2 of the attachment. Please replace the corrected inspection report for the report dated August 4, 2008. We apologize for any inconvenience that may have resulted from this error. No further response or acknowledgment is required.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

Should you have any questions concerning this letter, please contact us.

Sincerely,

/RA/

D. Charles Payne, Chief
Fuel Facility Inspection Branch 1
Division of Fuel Facility Inspection

Docket No. 70-143
License No. SNM-124

Enclosure: Corrected Inspection Report

cc w/encl: (See page 2)

cc w/encl:
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ADAMS: X Yes ACCESSION NUMBER:_____ X SUNSI REVIEW COMPLETE

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U. S. NUCLEAR REGULATORY COMMISSION

REGION II

Docket No.:	70-143
License No.:	SNM-124
Report No.:	70-143/2008-002
Licensee:	Nuclear Fuel Services, Inc.
Facility:	Erwin Facility
Location:	Erwin, TN 37650
Dates:	April 6, 2008 – July 5, 2008
Inspectors:	S. Burris, Senior Resident Inspector G. Smith, Resident Inspector D. Hartland, Senior Fuel Facility Inspector M. Thomas, Senior Fuel Facility Inspector J. Foster, Fuel Facility Inspector (in-training) R. Prince, Fuel Facility Inspector
Approved by:	D. Charles Payne, Chief Fuel Facility Inspection Branch 1 Division of Fuel Facility Inspection

Enclosure 2

EXECUTIVE SUMMARY

Nuclear Fuel Services, Inc.
NRC Inspection Report 70-143/2008-002

This inspection included activities conducted by the resident and regional inspectors during normal and off normal shifts in the areas of safety operations, radioactive waste management, transportation, radiological protection, facility support, effluent control, and environmental protection.

Safety Operations

- All of the operations activities observed were performed safely and in accordance with approved procedures. (Paragraph 2.a)
- An unresolved item was identified involving a number of changes to an authorized Safety Work Permit. (Paragraph 2.b)
- Criticality station limit cards were followed by licensee personnel. (Paragraph 2.c)
- Transient combustibles were controlled and minimized. (Paragraph 2.d)

Radioactive Waste Management

- Radioactive waste classification, tracking, storage, inventory control, and handling activities were properly performed. Self-assessments of Radioactive Waste Management program activities were adequately implemented. (Paragraph 3)

Transportation

- Radioactive material transportation program requirements were properly implemented. Material manifests, receipt inspections of radioactive material, training and qualification program, and program responsibilities were adequately implemented. Equipment used for the assay of radioactive material was maintained and operated in accordance with written procedures. (Paragraph 4)

Radiation Protection

- The Safety Work Permit/Radiological Work Permit Program was adequately implemented. (Paragraph 5)

Facility Support

- Management organization and controls, problem report screening and audit activities were adequately implemented. (Paragraph 6.a)

- The licensee demonstrated a programmatic weakness regarding its change process. A violation was identified with three separate examples for a failure to satisfy the technical documentation requirements of 10 CFR 70.72. (Paragraph 6.b)

- Radiation worker/operator training, retraining, class content and requirements were adequately implemented. (Paragraph 6.c)

Effluent Control and Environmental Protection

- The elements of the environmental program reviewed were found be within regulatory compliance. (Paragraph 7)

Attachment:
Partial List of Persons Contacted
Inspection Procedures Used
List of Items Opened, Closed, and Discussed

REPORT DETAILS

1. Summary of Plant Status

Fuel manufacturing, training activities, and scrap recovery processes were operated throughout the reporting period. Blended low enriched uranium (BLEU) oxide conversion activities operated normally during the inspection period. BLEU Preparation Facility (BPF) operations were conducted in accordance with license requirements.

2. Safety Operations

a. Plant Operations (Inspection Procedure (IP) 88135)

(1) Inspection Scope and Observations

The inspectors performed daily tours of the plant operating areas and determined that equipment and systems were operated safely and in compliance with the license. Daily operational meetings were observed throughout the period where production status and issues were discussed. The inspectors reviewed selected licensee identified events and corrective actions for previously identified events and found no significant deficiencies in the items reviewed.

In addition to this specific activity, the inspectors performed walkdowns of various other areas in the naval fuel process, BPF, and the waste treatment facility. The inspectors verified that there was adequate staffing, operators were attentive to their duties, and activities were performed in compliance with procedures. The inspectors confirmed that safety controls were in place and were being controlled with supervision. The inspectors walked down sections of the standard operating procedures and verified that Items Relied on For Safety (IROFS) were identified and present in the 200, 300, 600, and 800 areas. No issues were noted.

The inspectors toured processing, storage, and recovery areas and observed that personnel complied with approved, written nuclear criticality safety (NCS) limits and controls. The inspectors verified NCS limits were posted and available to the operators. Proper spacing practices and controls, use of storage locations, and identification of Special Nuclear Material (SNM) were also observed during tours of the facility and determined to be in accordance with the requirements.

The inspectors performed a detailed walkdown/review of the 500, 900, and Uranium-Oxide areas. As part of these walkdowns, the inspectors reviewed the Integrated Safety Assessment (ISA) to verify that assumptions and controls were properly implemented in the field via engineered and administrative controls. Also as part of this walkdown, the inspectors reviewed the criticality safety analysis to verify assumptions and controls were properly implemented in the field via engineered and administrative controls. The inspectors also verified that the operating personnel were aware of these assumptions and controls. The inspectors sampled various components and verified that the as-built configuration matched the process drawings. IROFS were verified to be properly

functioning and operators were knowledgeable of requirements associated with these IROFS. The inspectors also verified that there were no external hazards present that could degrade system performance.

On May 5, 2008, during a tour of the facility, the inspectors noted that a portion of the 306 East storage area was marked as a contamination control area. When the inspectors reviewed the entire area, they discovered that one of the contamination tape barriers had been improperly removed allowing for entrance into the area without any personal protective equipment (PPE).

NFS Procedure NFS-GH-01, Rev. 27, "Contamination Control" Section 5.13 states, "Areas found to have levels of radioactivity above plant action levels listed below or in Radiation Safety Information Sheets (maintained at the Radiation Technician Station) shall be roped-off with "Caution-Contamination" banners or postings to restrict access and designated as "special radioactive controlled areas." Individuals who enter these areas shall put on anti-contamination clothing upon entry, as required by procedures or postings, and remove the anti-contamination clothing, monitor or take other contamination control precautions upon leaving the cordoned-off area. These postings or banners shall be taken down by Safety personnel or at the direction of Safety Supervision only after decontamination has been completed."

The licensee immediately entered this item in its Problem, Identification, Correction and Resolution System (PIRCS) #13563 and initiated an investigation to determine the root cause and proper corrective actions for this event. The following were some of the identified causal factors:

- Time and resources had not been expended to maintain the 306 East areas as required.
- Inadequate taping requirements (tape precariously attached)
- Better oversight of posted areas needed to ensure taping requirements are met

Based on the proactive involvement of the licensee to identify and correct all of the issues associated with this event, this failure constituted a violation of minor significance and will not be subject to formal enforcement action.

(2) Conclusions

The licensee operated the facility safely and in accordance with the license requirements.

b. Maintenance & Surveillance Activities (IP 88025)

(1) Inspection Scope and Observations

The inspectors observed surveillance testing of hydrogen detectors in the Uranium-Aluminum area, implementation of a lockout/tagout in BLEU, and implementation of radiation work permit requirements for various corrective maintenance activities. The inspectors observed that those activities were conducted in accordance with regulatory requirements. While observing surveillances, the inspectors noted a weakness in that three-part communications were not used to verify conditions and instructions stated over the radio. The licensee planned to assess the need to implement three-part communications while conducting safety-related activities.

During routine observation of work activities and review of selected documentation, the inspectors noted that several routine Safety Work Requests had numerous handwritten revisions. NFS Procedure NFS-GH-03, Rev. 12, “Safety Work Permit”, “General Requirements” section states “Changes in work conditions or work scope may require modifications to Safety Work Permits (SWPs) prior to the completion of the work or the expiration date. Modifications may be made by a HP, ISS, RT Supervisor, or Plant Superintendent by lining through the current requirement, adding the change as applicable, initializing and dating to indicate approval. If work conditions or work scope change significantly during the work, the permit must be terminated and a new permit initiated to complete the work activity.” The inspectors will review the licensee’s interpretation of “significantly” during the next assessment period. This item will be identified as an Unresolved Item (URI) 70-143/2008-002, Review Method for Making Changes to Active Safety Work Permits.

(2) Conclusions

An Unresolved Item was identified as a result of reviews of numerous SWPs. With the exception of this item, the licensee operated the facility safely and in accordance with the license requirements.

c. Criticality Safety (IP 88135)

(1) Inspection Scope and Observations

During daily operating area tours, the inspectors verified various criticality controls to be in place. The station limit card requirements were observed by personnel. Containers were adequately controlled in order to minimize criticality hazards. The inspectors sampled a number of IROFS to verify their operability. Operators were knowledgeable of the IROFS’ requirements. IROFS were adequately identified in the field as well as on plant controlled drawings.

(2) Conclusions

Licensee criticality controls were adequately followed by licensee personnel.

d. Fire Protection (IP 88135)

(1) Inspection Scope and Observations

During daily plant tours, the inspectors verified that transient combustibles were being adequately controlled and minimized and that fire barriers located between fire areas were being properly maintained.

(2) Conclusions

Maintenance of fire barriers was adequate and transient combustibles were controlled.

3. Radioactive Waste Management (IP 88035)

a. Management Controls for Waste Classification, Shipping, and Burial (R2.01), Quality Assurance (R2.02), Waste Classification (R2.03), Tracking of Waste Shipments (R2.06), Disposal Site License Conditions (R2.07), Management Controls and Surveys for Solid Waste Storage (R2.08), Radioactive Solid Waste (R2.09), and Adequacy of Storage Area (R2.11)

(1) Inspection Scope and Observations

The inspectors observed radioactive waste storage and handling areas. The inspectors noted that entrances to storage locations were properly posted, and containers labeled and storage areas posted in accordance with approved procedures and regulatory requirements. Physical condition of storage containers was adequate. The inspectors interviewed personnel regarding Transportation and Waste Management (T&WM) activities. The inspectors found that personnel were knowledgeable of the requirements associated with the storage and control of radioactive waste material and routine inspection requirements for storage locations.

The inspectors reviewed records associated with the generation and tracking of radioactive waste material. The inspectors found that radioactive material containers were properly inventoried, inspected, and stored in specified locations. The inspectors observed personnel perform waste material inventory and tracking functions. Storage containers were labeled and tracked in accordance with written procedures and container identification numbers assigned and entered into the data tracking system. Radioactive waste package certification records were current and cognizant personnel knowledgeable of program requirements for tracking radioactive waste material. Documentation accurately reflected the location, amounts, and description of radioactive waste material.

The inspectors reviewed procedures and found that procedures adequately described the responsibilities and roles of T&WM personnel and organizations with radioactive waste management program responsibilities.

The inspectors interviewed personnel regarding self assessments of the radioactive waste management program and the tracking of assessment findings. The licensee's Quality Assurance group had developed a schedule to routinely assess the radioactive waste management program. The inspectors reviewed selected audits and confirmed that assessment findings were entered into the licensee's corrective action program for tracking.

(2) Conclusions

The licensee implementation of the radioactive waste management program was adequate.

4. Transportation (IP 86740)

a. Preparation of Packages for Shipment (R4.01), Receipt of Packages (R4.03), Management Controls (R4.05), Records and Reports (R4.06)

(1) Inspection Scope and Observations

The inspectors reviewed procedures associated with the radioactive material transportation program. Procedures adequately described the responsibilities and roles of T&WM personnel and organizations responsible for the transportation of radioactive and hazardous materials.

The inspectors interviewed personnel responsible for the preparation, receipt, and shipment of radioactive waste material. The inspectors found that personnel were knowledgeable of burial site criteria, and Department of Transportation (DOT) regulations relating to the preparation, packaging, and labeling of radioactive material shipments. The inspectors observed receipt inspection of a radioactive material shipment. Receipt inspection activities were implemented utilizing peer checks and performed in accordance with written procedures. Personnel were knowledgeable of requirements associated with the receipt of radioactive material.

The inspectors reviewed radioactive waste shipment manifests for completeness and accuracy. The inspectors found that manifests correctly reflected the classification, quantity, and labeling requirements for the respective shipment. The inspectors interviewed personnel and determined that personnel responsible for certifying that shipments are prepared in accordance with DOT regulatory requirements were knowledgeable of their duties and associated regulatory requirements.

The inspectors observed the operation and daily performance checks of a radioactive material assay system. The inspectors interviewed personnel regarding equipment operation and maintenance and determined that personnel were knowledgeable of equipment operating procedures and acceptance criteria. The inspectors reviewed associated operating procedures and equipment operability records and found that equipment was adequately maintained.

The inspectors reviewed training and qualification records for individuals responsible for key aspects of the radioactive material transportation program. The inspectors found that training records were current and adequately covered DOT training requirements in addition to training and qualification requirements specified in applicable licensee procedures.

(2) Conclusions

The licensee implementation of the transportation program was adequate.

5. Radiation Protection (IP 88135)

(1) Inspection Scope and Observations

The inspectors performed a detailed review of SWP/Radiological Work Permit (RWP) #08-08-003. This SWP/RWP involved the repair of a vacuum pump in building 306. The inspectors verified that maintenance and operations personnel complied with the prescribed controls and precautions. The inspectors noted that the SWP contained adequate requirements concerning the radiation levels, respiratory equipment, dosimetry, contamination levels, special tools and equipment, airborne radioactivity, and containment devices. The area was effectively controlled by health physics personnel. The SWP/RWP was prominently posted for employees' review and observation. Workers entering the SWP area signed onto the SWP verifying their knowledge of the entry requirements. Additionally, during the walkdown of the vacuum pumps the inspectors noted that a tag from lockout/tagout #6526 was hung on the incorrect pump circuit breaker. However the main circuit breaker was off and thus the entire system was de-energized. This condition was brought to the attention of supervision and was immediately corrected. This failure constitutes a violation of minor significance and will not be subject to formal enforcement.

(2) Conclusions

The licensee adequately developed and implemented the SWP/RWP program.

6. Facility Support

a. Management Organization and Controls (IPs 88135 & 88005)

(1) Inspection Scope and Observations

The inspectors performed daily reviews of the licensee's PIRCS entries to ensure that items adverse to requirements and quality were being identified and tracked to closure. The inspectors verified that issues were being properly identified, reviewed and tracked to completion.

The inspectors reviewed a recent minor change to an IROFS surveillance procedure for hydrogen detectors in the Uranium-Aluminum area and noted that the change was approved in accordance with license requirements. The inspectors attended a problem report screening committee meeting and observed that the licensee had appropriately classified the issues and had taken adequate short-term corrective actions. The inspectors also reviewed a sampling of biennial audits performed on various management measures, as required by the license application, and noted that audit findings were placed into the licensee's corrective action program and adequately addressed.

(2) Conclusions

The licensee sufficiently documented and corrected adverse conditions.

b. Permanent Plant Modifications (IP 88135)

(1) Inspection Scope and Observations

During the inspection period the inspectors noted a general programmatic weakness in how the licensee implemented changes to their facility, especially how the changes were formally documented. The inspectors observed modifications of equipment as well as the documentation and controls used to support these modifications in order to verify that: 1) work documents reflected the proper approvals and reviews of the proposed activities, 2) personnel were properly implementing these changes as designed, and 3) management oversight was evident during the work activities. Proper controls (Work Request, Lockout/Tagout, and SWP) were in place and implemented during the work activities.

The following three issues were noted:

- The inspectors previously identified an Unresolved Item (URI) 2007-006-02 in inspection report 70-143/2007-006. This issue dealt with a raffinate pump that was modified to incorporate a different vendor design. However, the new pump was installed with a motor that operated at half the speed of the original. This attribute greatly affected the pump curve, and the inadequate design was noted during the post maintenance testing. The inspectors noted the modification

details were less than adequate and no technical basis for the change was readily apparent. This issue has been determined to be a violation of 10 CFR 70.72 for failure to adequately document the technical basis for a change to a structure, system, or component.

- On May 13, 2008, the licensee developed a Letter of Authorization (LOA) 1877I-0328-1. This LOA authorized the removal of an IROFS in the Uranium-Aluminum system. The IROFS involved flow switches associated with the sodium nitrate subsystem and was designed to shut down the dissolution process if a low sodium nitrate flow was detected. However, these flow switches had recently become erratic, and the licensee decided to remove them from service. The LOA was designed to provide compensatory measures for the removal of these flow switches. However, the LOA only required the operator to verify sodium nitrate flow every four hours. The inspectors questioned the licensee regarding the technical basis for the periodicity, but the licensee was unable to provide adequate technical documentation for the modification. The inspectors recognized that even with the removal of this IROFS, the licensee still met the performance criteria of 10 CFR 70.61 as the event sequence was considered an intermediate consequence. This issue has been determined to be a violation of 10 CFR 70.72 for failure to adequately document the technical basis for a change to a structure, system, or component.

- On May 21, 2008, PIRC #13750 was generated by the operations staff regarding a modification performed in February 2008 on two vacuum pumps in building 306. This modification added two additional disconnects (circuit breakers) so that one vacuum pump could be locked out at a time The previous design utilized a main disconnect which would de-energize both of the entire pump skids. Following a placement of lockout/tagout #P6526 and #P6527 for maintenance on one of the vacuum pumps, the operators noted the cooling fan for the associated vacuum pump continued to operate. The operators had believed that the modification provided the capability to lock out an entire vacuum pump skid while leaving the other skid operational. Subsequent investigation revealed that the newly installed disconnect only removed power to the vacuum pump itself while control power for auxiliary circuits remained energized. The inspectors noted that operators were not adequately trained on this modification. Additionally, the startup procedure addressed the existing main disconnect, yet the procedure was never modified to address the two additional disconnects installed for each vacuum pump motor. Failure to update plant procedures and provide training to plant personnel regarding modifications to structures systems, and components is a violation of 10 CFR 70.72.

In all of the above three cases, the licensee failed to adequately document or provide training pertaining to facility modifications. These NRC-identified issues are being identified as a violation (VIO 70-143/2008-002-01).

(2) Conclusions

The inspectors identified one violation regarding the failure to document the technical bases, provide adequate training, and update plant procedures pertaining to plant modifications. This is a violation of the requirements noted in 10 CFR70.72, "Facility Changes and Change Process."

c. Operator Training and Retraining (88010)

(1) Inspection Scope and Observations

The inspectors observed a radiation worker training class and discussed the class with several of its students. Various training procedures, course outlines, and course examinations were reviewed. The computerized Training and Qualification system was used by the inspectors to review several randomly selected personnel records and the records were up-to-date. The BLEU facility participates in the NFS training program.

(2) Conclusions

The reviewed documents were in compliance with the license and the training program was adequate.

7. Effluent Control and Environmental Protection (88045)

(1) Inspection Scope and Observations

The inspectors toured the onsite and offsite groundwater monitoring and injection wells. They observed the collection of the weekly off-site air samples and toured the laboratory where the air samples were processed. Adherence to plant procedures was noted during the air filter collection.

The inspectors observed the sampling of sewer discharge and verified that the procedures were adhered to during the collection of the effluent samples. The bi-annual effluent reports for both liquid and airborne effluents were reviewed. The results of the report showed that the effluents were within the requirements.

The inspectors conducted a tour of the Uranyl Nitrate Building of the BLEU Complex. During this facility inspection, the inspectors also reviewed procedures. An internal audit of the environmental program for the site only had a partial review for the BLEU Complex. Even though the environmental data from the BLEU Complex was included in the report; the procedures, people, and facilities were not audited. An independent audit included the BLEU Complex in its review, which fulfilled the license requirement.

Several PIRCS items relating to the environmental program were reviewed. The items were discussed with the licensee and several of the corrective actions were confirmed by the inspectors.

(2) Conclusions

The elements of the environmental program reviewed were adequate and within compliance.

8. Follow-up on Events (88135)

(1) Inspection Scope and Observations

The inspectors interviewed personnel regarding a recent event in which an off-site licensee received a material shipment from NFS and found that the transport vehicle was contaminated. However, the contamination was localized and below reportable DOT contamination limits for an exclusive use transport vehicle. The inspectors reviewed the licensee's program, procedures, and operational aspects associated with the shipment. The inspectors noted that the licensee had identified potential areas in need of improvement associated with the inspection of radioactive material shipments prior to departure.

(2) Conclusions

The licensee's evaluation of the incident was ongoing and the licensee's corrective actions will be further evaluated during a follow-up inspection.

9. Follow-up on Previously Identified Issues

(Closed) URI 70-143/2007-006-02: Technical basis documentation for a plant modification. This URI was reviewed and discussed in Section 6.b above and is an example supporting violation (VIO) 2008-002-01 in this report. This item is closed.

10. Exit Meeting

The inspection scope and results were presented to members of the licensee's staff at various meetings throughout the inspection period and were summarized on July 8, 2008 with the licensee's management. No dissenting comments were received from the licensee. Proprietary information was discussed but not included in the report.

ATTACHMENT

1. PERSONS CONTACTED

Partial List of Licensee's Persons Contacted

T. Lindstrom, General Manager
M. Moore, Vice President, Safety & Regulatory
J. Pugh, Director Operational Support
R. Bond, Senior Project Director, HEU Operations
R. Droke, Licensing Director
T. Coates, Engineering Section Manager
R. Shackelford, Nuclear Criticality Safety Manager
G. Athon, Vice President, Applied Technology/Principle Scientist
R. Maurer, Criticality Safety Engineer
N. Brown, Criticality Safety Engineer
M. Tester, Sr. Manager, Radiation Control
J. Parker, Industrial Safety Manger
K. Weir, Deputy Security Director
A. Vaughan, Director Fuel Production

2. INSPECTION PROCEDURES USED

IP 88010	Operator Training and Retraining
IP 88025	Maintenance and Surveillance
IP 88035	Radioactive Waste Management
IP 88045	Effluent Control and Environmental Protection
IP 88135	Resident Inspectors Program for Category 1 Fuel Cycle Facilities
IP 86740	Transportation
IP 88005	Management Organization and Controls

3. LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Item Number	Status	Type/Description
70-143/2007-06-02	Closed	URI - Technical basis documentation for a plant modification (Paragraph 9)
70-143/2008-02-01	Open	VIO - Failure to perform plant modifications in accordance with 10 CFR 70.72 (Paragraph 6.b).
70-143/2008-02-02	Open	URI – Review Method for Making Changes to Active Safety Work Permits (Paragraph 6.b)