

July 15, 2010

EA-10-133

Ms. Christy Perdue  
Hot Mill Administrative Manager  
Plymouth Tube Company  
572 W. State Road 14  
Winamac, IN 46996

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-36618/2010-001(DNMS) AND  
NOTICE OF VIOLATION – PLYMOUTH TUBE COMPANY

Dear Ms. Perdue:

This refers to the U.S. Nuclear Regulatory Commission (NRC) routine inspection conducted on June 22, 2010, at your Winamac, Indiana facility, with continued NRC in-office review through June 29, 2010. The NRC in-office review included receipt and review of information related to your radiation safety officer and personnel dosimetry program. A telephone exit meeting between yourself and Bill Kinder of your staff and Andrew Bramnik of my staff was conducted on June 29, 2010, to discuss the inspection findings.

This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation involved a failure to amend NRC License No. 13-32528-01 between January 30 and June 29, 2010, to assign a new radiation safety officer (RSO) following the previous RSO's departure from the company. While categorized as a Severity Level IV, your programs performance in not missing any required tests or inventories during this time period was taken into consideration as a factor not to escalate this to a Severity Level III. The violation is being cited because it was identified by the NRC. The corrective actions to address the above violation were discussed between yourself, members of your staff, and members of the NRC staff during the site inspection and via telephone.

The violation is cited in the enclosed Notice of Violation (Notice). You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the

information notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

Based on the results of this inspection, the NRC has also determined that one additional violation of NRC requirements occurred. The violation involved a failure to either perform a prospective evaluation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10% of the allowable limits in Title 10 Code of Federal Regulations (CFR) Part 20 or provide dosimetry that meets the Criteria in the section entitled "Radiation Safety Program – Occupational Dosimetry" in NUREG-1556, Vol. 4. The violation was determined to be of minor safety significance in accordance with the NRC Enforcement Policy. This determination was based, in part, on the results of that evaluation demonstrating the low likelihood of an individual receiving, in one year, a radiation dose in excess of 10% of the allowable limits. Therefore, you are not required to respond to this item unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Document Access & Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions please feel free to contact Andrew Bramnik of my staff at (630) 829-9543.

Sincerely,

**/RA/**

Tamara E. Bloomer, Chief  
Materials Inspection Branch

Docket No. 030-36618  
License No. 13-32528-01

Enclosure:  
Notice of Violation

cc w/ encls: Bill Kinder, Safety/Manufacturing Excellence Manager  
Susan Englehardt, Radiation Safety Officer  
State of Indiana

C. Perdue

-2-

information notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

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If you have any questions please feel free to contact Andrew Bramnik of my staff at (630) 829-9543.

Sincerely,

**/RA/**

Tamara E. Bloomer, Chief  
Materials Inspection Branch

Docket No. 030-36618  
License No. 13-32528-01

Enclosure:  
Notice of Violation

cc w/ encls: Bill Kinder, Safety/Manufacturing Excellence Manager  
Susan Englehardt, Radiation Safety Officer  
State of Indiana

**DISTRIBUTION:**

See next page

\*see previous concurrence

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OFFICE	RIII DNMS	E	RIII-ORA	E	RIII-DNMS		RIII	
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DATE	07/13/10		07/15/10		07/15/10			

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## NOTICE OF VIOLATION

Plymouth Tube Company  
Winamac, Indiana

Docket No. 030-36618  
License No. 13-32528-01

During an U.S. Nuclear Regulatory Commission (NRC) inspection conducted on June 22, 2010, with continued NRC in-office review through June 29, 2010, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition 12.A. of NRC License No. 13-32528-01 authorized a specifically named individual to fulfill the duties and responsibilities of the Radiation Safety Officer (RSO) for the license.

Contrary to the above, between January 30 and June 29, 2010, an individual, specifically authorized by Condition 12.A. of the license to fulfill the duties and responsibilities as RSO, was no longer employed by the licensee and did not fulfill the duties and responsibilities as RSO. Specifically, the licensee failed to amend their license to assign a new RSO for approximately five months following the previous RSO's departure from the company.

This is a Severity Level IV violation (Supplement VI)

Pursuant to the provisions of 10 CFR 2.201, Plymouth Tube Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information

Enclosure

that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 15th day of July, 2010.