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U. S. Nuclear Regulatory Commission
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Your ref:
Our ref: LTR-RAC-11-4

Date: January 11, 2011

SUBJECT: REPLY TO A NOTICE OF VIOLATION
REFERENCE REPORT: NOTICE OF VIOLATION AND NRC INTEGRATED
INSPECTION REPORT 70-1151/2010-012.

Pursuant to the provisions of 10 CFR 2.201, Westinghouse Electric Company LLC (Westinghouse) herein provides a response to your letter of December 17, 2010, regarding your inspection conducted November 15-19, 2010 at the Columbia Fuel Fabrication Facility (CFFF).

Appendix A provides the reply to the violation of NRC requirements specified in the referenced Notice of Violation.

Should you have any questions or require additional information, please telephone Marc A. Rosser of my Staff at (803) 647-3174.

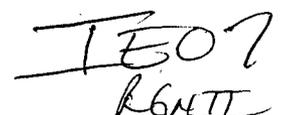
Sincerely,


David J. Precht, Acting Plant Manager
Columbia Fuel Fabrication Facility
Westinghouse Electric Company LLC

Attachment: Appendix A

cc: U. S. Nuclear Regulatory Commission
Regional Administrator, Region II
245 Peachtree Center Ave, NE Suite 1200
Atlanta, Georgia 30303-1257

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One White Flint North
11555 Rockville Pike
Rockville, Maryland 20852-2738
Mail Stop: EBB 2C40M
Attn: Christopher Ryder, Project Manager



APPENDIX A

A.1 WESTINGHOUSE RESPONSE TO NOTICE OF VIOLATION

In the December 17, 2010, Integrated Inspection Report (70-1151/2010-012) and Notice of Violation (NOV), it is stated that during a U.S. Nuclear Regulatory Commission (NRC) inspection, a violation of NRC requirements was identified. NRC described the violation as listed below:

Safety Condition No. S-1 of Special Nuclear Materials License No. 1107 requires that material be used in accordance with statements, representations and conditions in the license application dated June 27, 2007, or as revised, pursuant to 10 CFR 70.32 or 10 CFR 70.72 and the supplements thereto.

Section 3.1.1, "Configuration Management (CM) Program Structure," of the license application states, in part, that "the Columbia Fuel Fabrication Facility Configuration Management Program is implemented in accordance with approved procedures for change management. These procedures define the review and approval process for assuring that new or modified structures, systems and components comply with applicable regulatory requirements."

Section 6.1.7 of procedure RA-108, "Safety Significant Controls," Revision 30, dated January 30, 2009, states, "New Safety Significant Controls shall be functionally tested or verified as part of the TA-500 and RAF-104 process, including documentation, prior to actual use."

Contrary to the above, on June 12, 2009, the licensee failed to functionally test or verify 12 new safety significant controls related to dust collectors (Torits) prior to actual use. On June 12, 2009, the licensee had re-designated the high-level probes on the dust collectors as a safety significant control. However, the licensee only tested the probes that had been identified as needing modifications before the re-designation. Therefore, 12 high-level probes were not tested as part of the re-designation process. The safety significance of the event was low due to additional controls in place on the dust collectors.

The NRC has characterized the significance of this violation at Severity Level IV.

A.1.a ACKNOWLEDGEMENT OF THE VIOLATION

Westinghouse acknowledges the violation as identified in the Notice of Violation, dated December 17, 2010.

A.1.b REASON FOR THE VIOLATION

Westinghouse determined that the cause for this violation was that the governing implementation procedure was less than adequate.

A.1.c CORRECTIVE ACTION TAKEN AND RESULTS ACHIEVED

Westinghouse entered this issue into the corrective action program as Issue #10-167-C010. Procedure No. RA-314 "Implementation of Criticality Safety Evaluations" and the associated checklist form RAF-314-1 were revised to explicitly verify that newly designated controls are functionally verified prior to approval for operation. Training of criticality engineers who lead the

implementation efforts was conducted in accordance with the Electronic Training and Procedures System (ETAPS).

A.1.d ACTIONS TO PREVENT RECURRENCE

This specific requirement is intended to ensure that the implementation team adequately address and document the functional testing or verification requirements for new Safety Significant Controls prior to actual use.

A.1.e DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Westinghouse completed all necessary actions to restore compliance with all of the level probes having been satisfactory functionally tested during calendar year 2010 and the necessary procedure revisions issued January 4, 2011.