

Specialty Materials
Honeywell
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May 12, 2011

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ATTN: Document Control Desk
Director, Office of Nuclear Material Safety Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Docket No. 40-3392
License No. SUB-526

RE: REPLY TO A NOTICE OF VIOLATION
NRC INSPECTION REPORT 40-3392/2011-002 AND NOTICE OF VIOLATION

This letter is Honeywell Metropolis Works response to the NRC Inspection Report 40-3392/2011-002 and Notice of Violation dated April 28, 2011.

During the NRC inspection conducted from January 1, 2011 through March 31, 2011, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below along with information required to be included in the reply pursuant to 10 CFR 2.201.

1. 10 CFR 40.60(b)(3) requires, in part, that each licensee shall notify the NRC within 24 hours after the discovery of an event that requires unplanned medical treatment at a medical facility of an individual with spreadable radioactive contamination on the individual's clothing or body.

Contrary to the above, on March 8, 2011, the licensee failed to notify the NRC within 24 hours after the discovery of an unplanned medical treatment at a medical facility of an individual with spreadable radioactive contamination on the individual's clothing. Specifically, an injured contract employee with spreadable contamination on his coveralls and his underlying personal clothing was treated in the licensee's on-site dispensary, was decontaminated, and was transported off-site for further definitive care and the NRC was not notified in accordance with 10 CFR 40.60(b)(3).

This is a Severity Level IV violation (Section 6.9.d.7).

Reason for the Violation:

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Honeywell misinterpreted 10 CFR 40.60(b)(3) requirement to notify the NRC within 24 hours after the discovery of an event that requires unplanned medical treatment at a medical facility of an individual with spreadable radioactive contamination on the individual's clothing or body. Historically, Honeywell applied 10 CFR 40.60(b)(3) requirements to unplanned medical treatment of an individual with spreadable radioactive contamination on the individual's clothing or body performed only at an **off-site** medical facility.

Corrective Steps that Have Been Taken and the Results Achieved:

- Honeywell recognized the misinterpretation of 10 CFR 40.60(b)(3) requirements and made an event report (#46682) on March 18, 2011, for unplanned medical treatment for an individual involving contamination.
- Five notifications (## 46729, 46730, 46736, 46799 and 46806) regarding unplanned medical treatment of an individual with spreadable radioactive contamination were made to the NRC within 24 hours after the discovery on 4/5/2011 (2 event reports), 4/7/2011, 4/28/2011, and 5/2/2011, respectively.
- Draft regulatory analysis "Application of 10 CFR 40.60(b)(3) Reporting Requirements to MTW" was developed and presented to the NRC Region II on April 12, 2011, to review and discuss facility's 10 CFR 40.60(b)(3) compliance enhancement aspects.
- Honeywell procedure MTW-ADM-HP-0105, Completing Reports to the USNRC, was revised to emphasize applicability of 10 CFR 40.60(b)(3) to on-site unplanned medical treatments of an individual with spreadable radioactive contamination on the individual's clothing or body. Completed: 5/3/2011.
- Training on MTW-ADM-HP-0105, Completing Reports to the USNRC, procedure revision was delivered to appropriate personnel and completed by 5/3/2011.

Corrective Steps that Will Be Taken to Avoid Further Violations:

This violation was identified in March 2011. All planned corrective steps were completed prior to the date of this response

Date When Full Compliance Will Be Achieved:

Honeywell is currently in full compliance with 10 CFR 40.60(b)(3).

In addition, Honeywell is planning to apply for an amendment to its Source Materials License SUB-526. This application will request exemption from 10 CFR 40.60(b)(3) requirements for unplanned treatment at the on-site facility. According to the amendment, Honeywell will be required to notify the NRC within 24 hours after the discovery of an event that requires unplanned medical treatment at an **off-site** medical

facility of an individual with spreadable radioactive contamination on the individual's clothing or body. Application submittal target date: 12/30/2011.

2. 10 CFR 20.2103(a) states, in part, that each licensee shall maintain records showing the results of surveys required by §20.1501.

10 CFR 20.1501(a)(2)(i)(ii) states, in part, that each licensee shall make or cause to be made, surveys that are reasonable under the circumstances to evaluate the magnitude and extent of radiation levels, and concentrations or quantities of radioactive material.

Contrary to the above, on March 8, 2011, the licensee failed to conduct surveys and record results reasonable under the circumstances to evaluate the magnitude and extent of radiation levels and quantities of radioactive materials for the event involving the medical treatment of an injured contaminated individual treated in the on-site dispensary and transported to an off-site facility for further definitive care.

This is a Severity Level IV violation (Section 6.3.d.3).

Reason for the Violation:

Inadequate guidance and expectations for documentation of contamination surveys.

Corrective Steps that Have Been Taken and the Results Achieved:

- Instructions on monitoring potentially contaminated injured individuals in the site's dispensary and documenting associated radioactive contamination surveys were developed and distributed to Health Physics (HP) personnel on 3/22/2011. These instructions were followed and used for conducting surveys and recording survey results for unplanned medical treatments of the individuals with spreadable contamination reported to the NRC (## 46729, 46730, 46736, 46799 and 46806) within 24 hours after the discovery on 4/5/2011 (2 event reports), 4/7/2011, 4/28/2011, and 5/2/2011.
- Additional guidance for on-site locations of injury treatment activities was developed and communicated to all Health Physics staff on 4/6/2011.

Corrective Steps that Will Be Taken to Avoid Further Violations:

- Incorporate guidance for documenting of contamination surveys into HP program procedures. Target date: 7/29/2011.

Date When Full Compliance Will Be Achieved:

Honeywell is currently in full compliance with 10 CFR 20.2103(a) and 10 CFR 20.1501(a)(2)(i)(ii) requirements.

If you have questions, need additional information, or wish to discuss this matter, please contact Mr. Michael Greeno, Regulatory Affairs Manager, at (618) 309-5005.

Sincerely,



Harry A. Smith
Plant Manager

cc: Regional Administrator
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Region II, US Nuclear Regulatory Commission
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