



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

July 27, 2016

Docket No. 04008850

License No. SUB-1440

James Tedesco
Director of Mission Assurance
Alliant Techsystems Operations LLC
Missile Products Group
Allegany Ballistics Laboratory
210 State Route 956
Rocket Center, WV 26726

**SUBJECT: NRC INSPECTION REPORT NO. 04008850/2016001, ALLIANT
TECHSYSTEMS OPERATIONS LLC, ROCKET CENTER, WEST VIRGINIA
SITE AND NOTICE OF VIOLATION**

Dear Mr. Tedesco:

On May 31, 2016, Dennis Lawyer of this office conducted a safety inspection at your Rocket Center facility. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. Additionally, the NRC performed in-office reviews of documents between June 1 and July 20, 2016. The findings of the inspection were discussed with Mr. Lancaster of your organization at the conclusion of the inspection on July 20, 2016.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The NRC concluded that the person performing surveying and Department of Transportation (DOT) labeling of a shipment package was not receiving periodic training as required.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC. During our inspection exit meeting on July 20, 2016, Mr. Lancaster stated that the individual will receive DOT training by August 31, 2016.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed in our records. Therefore, you are not required to respond to this letter unless the description of your corrective actions in this letter 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(s), and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC website at

J. Tedesco

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<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.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

Please contact Dennis Lawyer at 610-337-5366 if you have any questions regarding this matter.

Sincerely,

/RA/

Blake Welling, Chief
Commercial, Industrial, R&D and Academic
Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc: Randall N. Lancaster, Radiation Safety Officer
State of West Virginia

J. Tedesco

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/RA/

Blake Welling, Chief
Commercial, Industrial, R&D and Academic
Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc: Randall N. Lancaster, Radiation Safety Officer
State of West Virginia

Distribution:
B. Bickett, RI

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SUNSI Review Complete: DLawyer

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	DLawyer/dl		BWelling/bw			
DATE	7/25/16		7/27/16			

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NOTICE OF VIOLATION

Alliant Techsystems Operations LLC
Rocket Center, WV

Docket No. 04008850
License No. SUB-1440

During an NRC inspection conducted on May 31, 2016, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR Part 71.5(a) requires, in part, that each licensee who transports licensed material outside the site of usage, as specified in the NRC license, shall comply with the applicable requirements of the Department of Transportation regulations in 49 CFR Parts 171 through 180, appropriate to the mode of transport.

49 CFR 172.702 requires, in part, that each hazmat employer shall ensure that each hazmat employee is trained and tested, and that no hazmat employee performs any function subject to the requirements of 49 CFR 171-177 unless trained in accordance with Subpart H of 49 CFR 172. The terms Hazmat Employer and Hazmat Employee are defined in 49 CFR 171.8.

49 CFR 172.704(c)(2) requires, in part, that a hazmat employee must receive the training required by this subpart at least one every three year.

Contrary to the above, as of May 31, 2016, the licensee allowed a hazmat employee to perform functions subject to the requirements of 49 CFR 171-177, and the employee was not trained as required. Specifically, the hazmat employee performed Yellow-II labeling as required by Subpart E of 49 CFR 172 and conducted surveys to show compliance with 49 CFR 173.443 without receiving training in these functions for at least every 3 years.

This is a Severity Level IV violation (Enforcement Policy Section 6.8).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary,

Notice of Violation
Alliant Techsystems Operations LLC

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or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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

Dated This 27 day of July 2016