

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 205557516  
Jera

JAN 9 1980

Docket No. 79-820

United Nuclear Corporation  
ATTN: Mr. K. A. Cunningham, President  
UNC Crescent Plaza  
7700 Leesburg Pike  
Falls Church, Virginia 22043

Gentlemen:

This is in response to your letter dated September 14, 1979 which was in response to the Notice of Violation and Notice of Proposed Imposition of Civil Penalty sent to you with our letter dated July 16, 1979. The Notice of Violation accompanying our July 16 letter identified seven items of noncompliance found during a Nuclear Regulatory Commission special inspection in October and November, 1978 of the implementation of your Material Control and Accounting Program, and during an investigation conducted in September, October and November, 1978 of the implementation of your Physical Security Program at your facility at Wood River Junction.

After careful consideration of your September 14, 1979 response, we conclude that the items of noncompliance did occur as described in the Notice of Violation with regard to items 1, 2, 3, 4 and 7. With regard to item 5, based on the additional information which you provided, we agree that a sufficient number of armed guards to meet the requirement of license condition 9.3.47 was present on October 15, 1978, the day in question, and that the citation was in error. Let me add, however, that additional review has been made of this matter, including the additional information which you provided, and it appears that there was at least one day on which there were fewer than the required number of armed guards onsite. Nonetheless, since the original citation was in error and considering the absence of repetition and the short time interval involved, your enforcement history will be corrected to reflect retraction of the item, and the civil penalty is remitted. We will, however, examine this area during future inspections to determine that proper corrective action has been taken.

With regard to Part A of item 6, based on the explanation which you provided, we agree that searching the guard on September 3, prior to her tour of duty on September 4, 1979, constituted a proper search as required by license condition 9.3.1.A. Your enforcement history will be corrected to reflect retraction of Part A of this item, and the civil penalty for Part A is remitted.

The net result of the mitigation of the proposed civil penalty for item 5 and Part A of item 6 is a reduction of the cumulative amount from fifteen thousand seven hundred fifty dollars (\$15,750) to eleven thousand two hundred fifty dollars (\$11,250). Accordingly, we hereby serve the enclosed Order on United Nuclear Corporation imposing civil penalties in the cumulative amount of eleven thousand two hundred fifty dollars (\$11,250).

C

8002130

436

United Nuclear Corporation

- 2 -

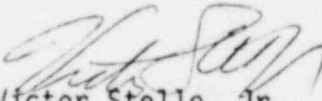
JAN 9 1980

Your September 14, 1979 letter and attachments contain many statements to which we wish to respond. Our detailed response to those statements which bear directly on the items of noncompliance and to the imposition of a civil penalty, are contained in the enclosure to this letter. Other matters identified in your letter will be the subject of separate correspondence.

You comment that there were a number of items of noncompliance identified in Inspection Report 70-820/78-22 which were apparently rejected by NRC management before the Notice of Violation was sent to you with our letter dated July 16, 1979. Within the time constraints that existed at the time the civil penalty action against your facility was proposed, the items of noncompliance cited in that letter were the ones which were sufficiently developed to proceed. That is not to say that the other apparent items of noncompliance identified in the inspection report are without basis. However, in view of the fact that corrective action has been taken on the remaining items in the inspection report, and the amount of time which has passed since these items occurred, I do not believe it appropriate to take enforcement action on these items. In any event, these items will be reviewed during subsequent inspections.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter will be placed in the NRC's Public Document Room. However, in accordance with 2.790(d), documentation of findings regarding your facility security measures are exempt from disclosure; therefore, the enclosure to this letter will not be placed in the Public Document Room and will receive limited distribution.

Sincerely,

  
Victor Stello, Jr.  
Director  
Office of Inspection  
and Enforcement

Enclosure:  
Detailed response to UNC Ltr  
dtd September 14, 1979

cc w/encl:  
C. E. Bowers, General Manager, Fuel Recovery Operations