

# Umetco Minerals Corporation

40-8681



WHITE MESA MILL • P.O. BOX 669 • BLANDING, UTAH 84511  
☐ (801) 678-2221

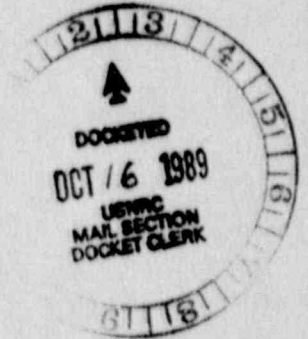
RETURN ORIGINAL TO PDR, HQ.

October 9, 1989

Mr. Ramon E. Hall, Director  
U. S. Nuclear Regulatory Commission  
Region IV  
Uranium Recovery Field Office  
Box 25325  
Denver, CO 80225

OCT 1989

Re: Umetco Minerals Corporation  
SUA-1358: Docket No. 40-8681  
White Mesa Mill, Utah  
Response to Notice of Violation



Dear Mr. Hall:

Attached is Umetco Mineral Corporation's response to the September 8, 1989 Notice of Violation. The NOV is a result of the unannounced safety inspection of August 7-10, 1989.

If I can answer any questions that you may have, please feel free to contact me.

Sincerely yours,

*D. K. Sparling*  
D. K. Sparling  
Plant Manager

8912130219 891009  
PDR ADDCK 04008681  
C PNU

DESIGNATED ORIGINAL

Certified By *Mary C. Hood*

*D-102*  
*11*

90-0034

### Response to "Notice of Violation"

- A. 10 CFR 20.103(b)(2) requires, in part, when it is impracticable to apply process or other engineering controls to limit concentrations of radioactive materials in air to levels below those which limit an airborne radioactivity area as defined in 10 CFR 20.203(d)(1)(ii), other precautionary procedures such as respiratory protective equipment shall be used. The licensee had established the area along a raised walkway near the SAG Mill as an airborne radioactivity area. Additionally, a sign requiring respiratory protection was posted at the access point.

Contrary to this requirement, on August 7, 1989, one individual working on the raised walkway, near the SAG Mill which was in the designated airborne radioactivity area, was observed to be working without respiratory protection during SAG Mill operations.

#### Response to Item A

##### 1. Reason for Violation

The employee in question had received instruction in the reasons respiratory protection may be required, training in the use of respirators, and training in the recognition of areas that are posted as radioactivity areas where respiratory protection is required. Contrary to instructions and training the employee was not wearing the required respiratory protection.

##### 2. Corrective Steps Taken

The annual respiratory protection meeting (part of the overall training program) was held during September. At this meeting the respirator program was reviewed including areas currently posted, respirator requirements in a posted area, and the management commitment to maintain full compliance with NRC requirements. At this time, the procedure for progressive discipline up to and including termination was restated. The progressive disciplinary procedure includes verbal warnings, written warnings, suspension, and termination as appropriate.

3. Steps to Avoid Future Violations

Management of respiratory protection policy is a continuing practice. Daily evaluations are made by front line supervisors and management personnel that may be in the area to insure compliance. Corrective action is immediate when actions contrary to policy are noted.

4. Date of Full Compliance

Full compliance with 10 CFR 20.103(b)(2) was achieved on August 8, 1989 when the employee in question was reinstructed in respiratory protection and counseled as to management's response to future disregard of instructions. Upon review the incident appears to be an isolated occurrence and is not indicative of anything other than a failure of an individual to follow established procedures.

- B. License Condition 20 requires, in part, annual updates to the reclamation/decommissioning cost estimate required by 10 CFR 40, Appendix A, Criterion 9 and 10, shall be submitted to the NRC at least three months prior to the anniversary date (designated as June 4).

Contrary to this requirement, as of August 10, 1989, the annual cost estimate update had not been submitted.

Response to Item B

1. Reason for Violation

Due to a division of responsibilities in regards to surety estimates, the annual update was not submitted within the time limits.

2. Corrective Steps Taken

Responsibility for a timely update of the surety estimate has been reconfirmed as a site function. The updated figures have been sent under separate cover.

3. Steps Taken to Avoid Future Violations

Management has committed to submitting the required information before the deadline of March 4<sup>th</sup> on a yearly basis.

4. Date of Full Compliance

Date of full compliance is pending NRC review of the updated estimate.

- C. License Condition 30 requires, in part, the Radiation Protection Officer (RPO) to attend refresher training on uranium mill health physics every two years.

Contrary to this requirement, the RPO has not attended the required refresher training.

Response to Item C

1. Reason for Violation

In the past, interpretation and enforcement of requirements listed as "every two years" allowed for completion within the second calendar year after a training session.

2. Corrective Steps Taken

A refresher training course in uranium mill health physics is scheduled for October 9-13, 1989. Western Radiation Consultants have been contracted to provide this service at a centralized location, allowing personnel from diverse locations to attend.

3. Steps Taken to Avoid Future Violations

Scheduling of courses so the 2 year frequency is not exceeded will prevent future violations.

4. Date of Full Compliance

Date of full compliance with License Condition 30 will be on October 13, 1989.

- D. License Condition 29 requires, in part, that the RPO perform a documented review of all existing standard operating procedures (SOPs) at least annually.

Contrary to this requirement, as of August 10, 1989 the SOP for control of blowing tailings, as revised in May of 1988, has not been reviewed since the revision date.

Response to Item D

1. Reason for Violation

In the past, interpretation and enforcement of requirements listed as "yearly" allowed for completion within the calendar year.

2. Corrective Steps Taken

A review of all procedures will be concluded to ensure all procedures are due during the same time frame. Any newly developed procedures will be reviewed when developed. These newly developed procedures will be reviewed again during the normal review time frame to ensure all procedure reviews meet the annual requirements.

3. Corrective Steps Taken

Future violations will be avoided by ensuring each procedure is reviewed in a consistent time frame.

4. Date of Full Compliance

Full compliance with License Condition 29 was achieved on September 5, 1989.