



ALLEN-BRADLEY
A ROCKWELL INTERNATIONAL COMPANY

WORLD HEADQUARTERS
1201 South 2nd Street
Milwaukee, WI 53204 USA
Telephone 414-382-2000
FAX: 414-382-4444
Telex: 4311016

June 9, 1993

Mr. B.J. Holt
U.S. Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Dear Mr. Holt:

In accordance with the requirement that Allen-Bradley submit a written response to the violation identified during your inspection on April 30, 1993 and the subsequent Notice Of Violation, I hereby submit the following response:

"Reply To A Notice Of Violation"

(1) Reason for violation:

Our Radiation Safety Officer was of the understanding that, since there were no changes other than installing a newer model of the same machine, that the request for a license amendment to replace the Radiflo Mark IV machine with a Radiflo Mark V machine was sufficient to allow installation and operation of the Mark V machine. It was his understanding that the amended license would merely verify machine replacement for NRC records. Please see attached letter dated November 9, 1992 requesting amendment; NRC's response stamped November 24, 1992; our letter in which the check was enclosed dated November 16, 1992; and NRC's letter stamped April 2, 1993 which had amendment No. 19 to our license 48-02369-02 enclosed.

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(2) Corrective Action Taken and results Achieved:

Our Radiation Safety Officer has communicated with NRC Region III personnel to identify the NRC policies which regulate machine replacement. All applicable regulations are now understood.

(3) Corrective Action Taken To Avoid Future Violations:

All regulations have been thoroughly reviewed and in the future, if there is any doubt about the interpretation, the Radiation Safety Officer will immediately contact the appropriate NRC personnel for clarification.

(4) Date When full Compliance Was Achieved:

Full compliance was achieved with NRC authorization of the Radiflo Mark V machine by the NRC license on March 31, 1993.

Sincerely,



Richard A. Funke
Director, Engineering & Manufacturing Systems
Operations Group

RAF:jw

cc: Robert Walters, Radiation Safety Officer
Glenn Eggert, Vice-President Operations



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137-5927

MAY 28 1993

Allen-Bradley Company
ATTN: Mr. Richard Funke
Director of Engineering &
Manufacturing Services
1201 South Second Street
Milwaukee, WI 53204

License No. 48-02369-02
Docket No. 030-06721

Dear Mr. Funke:

This refers to the routine safety inspection conducted by W. P. Reichhold of this office on April 30, 1993, of activities authorized by NRC Byproduct Material License No. 48-02369-02, and to the discussion of our findings with you and your staff at the conclusion of the inspection.

The inspection was an examination of activities conducted under your license as they relate to radiation safety and to compliance with the Commission's rules and regulations and with the conditions of your license. The inspection consisted of a selective examination of procedures and representative records, observations, independent measurements, and interviews with personnel.

In addition to the above areas, the inspector examined actions described in your letter dated September 27, 1983, regarding violations found during our September 9, 1983 inspection. We have no further questions regarding these matters.

During this inspection, certain of your activities were found to be in violation of NRC requirements, as specified in the enclosed Notice. A written response is required.

During this inspection, we learned that your staff had also identified a violation of NRC requirements concerning the failure to perform monthly radiation surveys as required by your license. Since this violation was identified and corrected by your staff and the remaining criteria in the NRC's Enforcement Policy (10 CFR Part 2, Section VII.B.(2)) are satisfied, we will use discretion and not issue a citation for this violation.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter, the enclosure, and your response to this letter will be placed in the NRC Public Document Room.

The response directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

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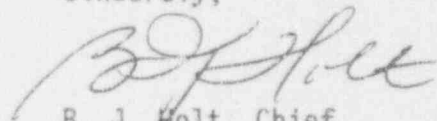
Allen-Bradley Company

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MAY 28 1983

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

A handwritten signature in cursive script, appearing to read "B. J. Holt".

B. J. Holt, Chief
Nuclear Materials Inspection
Section 1

Enclosure: Notice
of Violation

NOTICE OF VIOLATION

Allen-Bradley Company
Milwaukee, Wisconsin

License No. 48-02369-02
Docket No. 030-06721

During an NRC inspection conducted on April 30, 1993, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

Item 9 of License No. 48-02369-02 authorized the use of licensed material in a Radiflo Mark IV unit from March 17, 1988 to March 30, 1993.

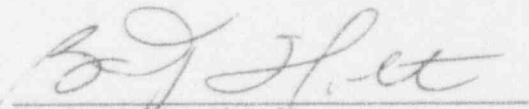
Contrary to the above, licensed material was not used in a Radiflo Mark IV unit from March 17, 1988 to March 30, 1993. Specifically, licensed material was used in a Radiflo Mark V unit from January to March 30, 1993. The Mark V unit was not authorized by the NRC license until March 31, 1993.

This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Allen-Bradley Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, Illinois, 60137, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a demand for information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

MAY 28 1993

Dated _____


B. J. Holt, Chief
Nuclear Materials Inspection
Section 1

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