

FEB - 1 1994

Docket Nos. 030-13573
030-29288

License Nos. 37-17860-01
37-17860-02

Permagrain Products, Inc.
ATTN: A. E. Witt
President
13 W. Third Street
Media, Pennsylvania 19063

Dear Dr. Witt:

SUBJECT: ROUTINE INSPECTION NOS. 030-13573/93-001 and 030-29288/93-001

On November 11 and 12, 1993, Mr. R. H. Ladun and Mr. M. Bouwens of this office conducted a routine safety inspection at Reactor Road, Karthaus, Pennsylvania of activities authorized by the above listed NRC licenses. 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 inspectors, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with you and other members of your staff at the conclusion of the inspection. This also refers to the telephone conversations on November 18 and 19 between Mr. L. Griest and myself and other members of the NRC staff.

During the telephone conversation on November 19, it was determined that you intend to seek an exemption to 10 CFR 36.63 regarding pool water purity and that you need more time to redefine your facility's personnel access control barriers to ensure compliance with all sections of 10 CFR Part 36. As discussed, 10 CFR 36.17 provides you a means of filing an application for exemptions. However, it is our understanding that for the interim, you have fabricated and installed two spring-loaded gates, one at each personnel access point to the irradiator pool. These gates will be lockable and the keys will be controlled by the shift operators.

If our understanding is different from yours, please notify me immediately at (610) 337-5258.

In reply to the enclosed notice of violation, please provide a detailed description of the interim access control measures implemented along with a schedule approximating a final resolution of our concerns.

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Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed as Appendix A and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy). You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A. Regarding Violation A, if you intend to request an exemption to 10 CFR 36.36 under 10 CFR 36.17, please indicate the date by which you plan to submit the exemption request.

Please use the enclosed self-addressed green envelope when you submit your copy to the Regional Administrator, Region I. This will assist us in the timely processing of your response. In accordance with Section 2.790 of NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room. The responses 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.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:
Walter J. Pasciak

Walter J. Pasciak, Chief
Industrial Applications Section
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix A, Notice of Violation

cc:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Paul Rowles, Radiation Safety Officer
Commonwealth of Pennsylvania

Permagrain Products, Inc.

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bcc:
Region I Docket Room (w/concurrences)
D.J. Holody, RI

DRSS:RI
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12/21/93
11/31/93

DRSS:RI
Bouwens

12/6/93

DRSS:RI
Pasciak

12/7/93