

CONTINENTAL CEMENT COMPANY

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noted

Nuclear Regulatory Commission
Attn: John A. Grobe, Chief
Nuclear Materials Inspection
Section 2, Region III
801 Warrensville Road
Lisle, Illinois, 60532-4351

REPLY to a NOTICE OF VIOLATION

Dear Mr. Grobe,
In reply to the NOTICE OF VIOLATION received at this facility on 6-29-94, referring to an inspection at this facility on 6-14-94. The following corrective actions have been taken.

1. To correct the violation of containers not being clearly marked the following was done.
 - A. The old dirty signs attached to the units were cleaned within 24 hours of the inspection.
 - B. New signs were purchased and were installed on 7-7-94, attached you will find photographs of all material locations and the new signs in these areas.
 - C. The material locations have been added to the Continental Cement Co. monthly safety equipment inspection forms and will be inspected at that time and cleaned as necessary, as well as on the semi-annual source surveys. A copy of the Continental Cement Co. Safety Equipment Monthly Inspection Form is also attached.
2. To correct the violation of not testing the proper operation of the on-off mechanism and indicator the following has been and is being done.
 - A. The Assistant Radiation Safety Officer on 7-8-94 did instruct the primary individual responsible for doing the source surveys on the reasons for, minimum intervals, and proper method for testing source shutters. The Assistant RSO did also attend the shutter testing of all sources by that individual and instruct him on how to record the information on the new form.

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- B. A refresher training schedule has been established for the two individuals responsible for doing the semi-annual surveys. To begin on 7-12-94.
- C. Training has also been scheduled for **all** the employees of our Electronics Maintenance Department, so that any one of them who might be involved with calibrating a receiver unit is trained to the same level two individuals who do the surveys. This will allow us to utilize any one in the department to act as and alternate for survey purposes. This training will also begin on 7-12-94.
- D. The Radiation Devices Inventory, Status, and Survey recording form has been updated to include a Shutter Test check-off box. It previously contained a status box which was mis-interpreted to mean whether the unit was on or off. Since this was understood to be used for that purpose we left it as it was and added the Shutter Test box and are instructing our survey performers to use this to record if the shutter can be opened and closed properly.

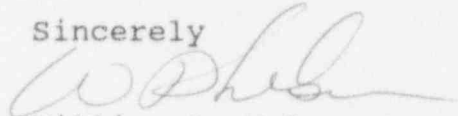
Therefore, we expect to have reached full compliance by the time this reply is mailed to your department. The management of Continental Cement Co. understands that any justification for the reasons for these violations might sound more like an excuse rather than a reason. We do however, submit to you these incidents which aided in the occurrence of the violations and any other actions that will be taken to prevent this from happening again.

As in any large corporation people come and go and duties are passed from one individual to another. In the past the individual responsible for the radiation safety responsibilities at Continental Cement was the electronics maintenance supervisor. This was due to the fact that all of our nuclear sources at this facility were put in place by authorized agents of the manufacturers and the receiver units were calibrated by the electronics department. In April of 1992 however, Continental acquired another company and it was decided to use another radiation source (in the form of another density meter) at that facility. We were informed at that time by the manufacturer of the unit that it would be to our advantage to have our NRC license amended to allow us to do more with the source units. We chose at that time to transfer these duties, because of the safety concerns, to the safety department. This would allow for safe handling and training for the same to fall back under the auspices of the safety department. We amended our license on 11-30-92 to reflect this. We followed this by sending our Health and Safety Manager to a 40 hour radiation safety officer course, which he completed on 12-11-92. As of this writing we have amended the semi-annual survey form and another monthly form

to be able to better comply. We have changed to another company for our wipe testing results, one that sends us a notice a month prior to when our units need to be tested. Finally we added the survey dates and monthly sign check dates to safety departments "Tickler File" as an added assurance of getting all testing done within the time limits specified in CFR 10.

In closing I might only add that NRC compliance is as important to us at Continental Cement Co. as MSHA, EPA, or any other state or federal standards that deal with the safety of personnel. I hope that we have made a good faith effort in the commissions eyes to correct these problems and prevent any problems in the future.

Sincerely

A handwritten signature in cursive script, appearing to read "W. A. Nelson".

William A. Nelson

Manager of Administration
and Operational Planning
Continental Cement Co.

RADIATION DEVICES

INVENTORY, STATUS, & SERVEY

DATE 7-8-94

INSPECTOR C. Reutenauer

DIVISION	DEPARTMENT	APPLICATION	RADIATION DEVICE		RADIOACTIVE MATERIAL		INVENTORY RESULTS			
			TYPE	MANUFACTURER	SOURCE	ACTIVITY	STATUS	SHUTTER TEST **	SERIAL#	HIGHEST METER READING
* CONTINENTAL CEMENT CO.	STORAGE	RAW MILL SUMP HIGH ALARM	GAMMA RAY	INSTRUMENTS INC.	RADIUM	10mC.			RSU-1-HI	
CONTINENTAL CEMENT CO.	OPERATING	RAW MILL SLURRY DENSITY	GAMMA RAY	INDUSTRIAL NUCLEONICS	CE 137	50mC.		X	RDM-1	
CONTINENTAL CEMENT CO.	OPERATING	KILN FEED SLURRY DENSITY	GAMMA RAY	INDUSTRIAL NUCLEONICS	CE 137	50mC.		X	KDM-1	
MFR INC.	VISCOUS MILL	VISCOUS MILL SLURRY DENSITY	GAMMA RAY	OHMART INC	CE 137	120mC.		X	VMDM-1	

* This unit does not contain a source material regulated by the NRC it is listed here for state regulated purposes only.

** Record shutter test by putting a check in the box for an acceptable test and nothing for unacceptable, follow up non acceptable shutter tests with a response of the same to the safety department immediatley.

**CONTINENTAL CEMENT COMPANY
MISSOURI FUEL RECYCLERS
MONTHLY SAFETY EQUIPMENT CHECK LIST**

DATE:		INSPECTED BY:		
ITEM	LOCATION	ACC.	UNACC.	COMMENTS
TRAUMA KIT	MAINTENANCE OFFICE HALLWAY			
FOLDING STRETCHER\BLANKET	MAINTENANCE OFFICE HALLWAY			
STOKES BASKET	BARGE LOADING FIRST FLOOR			
FOLDING STRETCHER\BLANKET	CONTROL BUILDING FIRST FLOOR			
TRAUMA KIT	C.C.C. FOAM HOUSE			
EYE WASH KIT	OLD NOX BUILDING			
EYE WASH KIT	NEW NOX BUILDING			
FOLDING STRETCHER	OFFICE- MENS CHANGE ROOM			
EYE WASH\SAFETY SHOWER	MILL BUILDING			
EYE WASH\SAFETY SHOWER	BURNER FLOOR			
EYE WASH SAFETY SHOWER	Q.C. LAB			
EYE WASH KIT	CONTROL BLDNG 1ST FLR MTR CNTRL			
EYE WASH\SAFETY SHOWER	PIER 4 GENERATORS			
EYE WASH	CONTROL BUILDING WEST EXIT			
EYE WASH	VEHICLE MAINTENANCE (NEW)			
EYE WASH\SAFETY SHOWER	VEHICLE MAINTENANCE (OLD)			
EYE WASH\SAFETY SHOWER	FUELS LAB NORTH WALL			
EYE WASH\SAFETY SHOWER	FUELS LAB SOUTH WALL			
EYE WASH SAFETY SHOWER	GC\MS ROOM 1			
EYE WASH\SAFETY SHOWER	GC\MS ROOM 2			
EYE WASH\SAFETY SHOWER	TCLP ROOM			
EYE WASH\SAFETY SHOWER	SAMPLE PREP ROOM			
EYE WASH\SAFETY SHOWER	PACK HOUSE @ PACKING MACHINE			
EYE WASH\SAFETY SHOWER	BEHIND MAINTENANCE SHOP (MFR)			
EYE WASH\SAFETY SHOWER	VISCOUS FUELS (MFR)			
EYE WASH\SAFETY SHOWER	LIQUID FUELS (MFR)			
EYE WASH\SAFETY SHOWER	RAIL UNLOADING (MFR)			
RADIATION WARNING SIGN	MILL BUILDING BASEMENT (MFR)			
RADIATION WARNING SIGN	N.E. CORNER SLURRY BUILDING			
RADIATION WARNING SIGN	RAW MILL SUMP			