

## NOTICE OF VIOLATION

United States Enrichment Corporation  
Bethesda, Maryland

Docket No. 70-7001  
Certificate No. GDP-1

During an NRC inspection conducted on March 17 - 21, and March 31 - April 4, 1997, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

Paducah Gaseous Diffusion Plant Technical Safety Requirement 3.11.1 requires that a Criticality Safety Program shall be established, implemented and maintained as described in the Safety Analysis Report (SAR). The Nuclear Criticality Safety Program is described in Section 5.2 of the SAR.

- I. SAR Subsection 5.2.2.2, Nuclear Criticality Safety Responsibilities, requires, in part, that [NCS Engineers] are responsible for "verifying sufficient information is documented to allow independent analysis, verifying credible process upsets related to criticality safety are promptly identified and evaluated, verifying compliance with the double contingency principle, checking for accuracy, and verifying applicability of the calculational methods."

SAR Subsection 5.2.2.3, Process Evaluation and Approval, requires, in part, that "each operation involving uranium enriched to 1 wt% or higher of  $^{235}\text{U}$  and 15 grams or more of  $^{235}\text{U}$  are identified and evaluated for NCS prior to initiation of the operation... The NCS evaluation process involves:...(4) identification of assumptions and equipment (i.e., physical controls) needed to ensure criticality safety."

Contrary to the above, as of April 4, 1997, used NAM and fixed HEPA filters containing uranium enriched to 1 wt% or higher of  $^{235}\text{U}$ , and 15 grams or more of  $^{235}\text{U}$ , stored in a 3 X 4 array in the C-335 building, were not covered by a documented NCS evaluation that identified the assumptions and physical controls needed to ensure criticality safety. Sufficient information was not documented to allow independent analysis.

This is a Severity Level 1 violation (Supplement VI)

- II. SAR Subsection 5.2.2.2, Nuclear Criticality Safety Responsibilities, requires, in part, that [NCS Engineers] "verify NCSA commitments have been effectively flowed down into operating procedures."

SAR Subsection 5.2.2.3, Process Evaluation and Approval, requires, in part, that "first-line management is responsible for implementing the conditions delineated in the NCSAs through the use of such tools as training, operating procedures, posting, and labels...[and] for assuring the employees understand both the procedures and NCSA requirements before the work begins."

Enclosure 2

Contrary to the above, as of April 14, 1997, the Pre-Fire Plan did not contain the NCSA special fire fighting instructions for the NAM (Negative Air Monitor) filters stored in the C-335 Fissile Control Area (FCA) and emergency response training did not incorporate the special actions required at the FCAs.

This is a Severity Level IV violation (Supplement VI)

Pursuant to the provisions of 10 CFR 2.201, United States Enrichment Corporation (USEC) is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with copies to the Regional Administrator, Region III, and Chief, Fuel Cycle Operations Branch, Division of Fuel Cycle Safety and Safeguards, NMSS, 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. Your response may reference or include previously docketed correspondence if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or Demand for Information may be issued as to why the certificate should not be modified, suspended, or revoked, or why such other actions as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld, and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Rockville, Maryland  
this 16th day of May 1997