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APPENDIX A

NOTICE OF VIOLATION

Homestake Mining Company
Milan Mill

Docket No. 40-8903
License No. SUA-1471

During an NRC inspection conducted on November 1-3, 1988, violations of NRC requirements were identified. The violations involved the failure of the licensee to maintain issuance records for respirator use, provide training for site personnel performing dam inspections, post all entrances to the restricted area, adequately control blowing of tailings, and determine prior dose for new employees. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the violations are listed below.

- A. 10 CFR 20.103(c)(2) states, in part, that the licensee may make allowance for the use of respiratory protection equipment in estimating exposures of individuals to airborne radioactive materials provided that the licensee maintains and implements a respiratory protection program that includes issuance records.

Contrary to this requirement, the licensee did not maintain issuance records while taking credit for the use of respirators in estimating exposures to yellowcake packaging operators.

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

- B. Condition No. 12 of Source Material License SUA-1471 requires, in part, that annual training of site personnel responsible for dam inspections be conducted by a registered professional engineer.

Contrary to this requirement, the licensee has not conducted the specified annual training.

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

- C. Criterion 8 of Appendix A to 10 CFR 40, states, in part, that to control dusting from tailings, portions not covered by standing liquids must be wetted or chemically stabilized to prevent or minimize blowing and dusting to the maximum extent reasonably achievable.

Contrary to this requirement, the inspectors observed extensive blowing of tailings on November 3, 1988.

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

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- D. License Condition No. 20 of Source Material License SUA-1471 states that the licensee is exempted from the requirements of Section 20.203(e)(2) of 10 CFR 20 for areas within the mill provided that all entrances to the mill are conspicuously posted in accordance with Section 20.203(e)(2) and with the words, "Any area within this mill may contain radioactive material."

Contrary to this requirement, the licensee has not properly posted the door which provides access from the administration building to the restricted area or the gate located near the ore sampling station.

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

- E. 10 CFR 20.102(a) requires, in part, that each licensee require any individuals, prior to first entry into the restricted area during each employment, that the individual is likely to receive a dose in excess of 25 percent of the limit specified in 20.101(a), to disclose in a written, signed statement; (1) the individual had no prior dose during the current calendar quarters; or (2) the dose received by the individual during the current calendar quarter.

Contrary to this requirement, the licensee did not obtain the required written statement for two individuals required to work within the restricted area where employee exposures have exceeded 25 percent of the 20.101(a) limit.

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

Pursuant to the provisions of 10 CFR 2.201, Homestake Mining Company is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation:

- (1) the reason for the violation if admitted;
- (2) the corrective steps which have been taken and the results achieved;
- (3) the corrective steps which will be taken to avoid further violations; and
- (4) the date when full compliance will be achieved.

Where good cause is shown, consideration will be given to extending the response time.

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Date at NRC, Region IV, Uranium Recovery Field Office this 28th day of November 1988.



Harry J. Pettengill, Chief
Licensing Branch 2
Uranium Recovery Field Office
Region IV