## **ENCLOSURE 2**

# U. S. NUCLEAR REGULATORY COMMISSION REGION IV

Docket No.	40-8943
License No.	SUA-1534
Report No.	40-8943/99-01
Licensee:	Crow Butte Resources, Inc.
Facility:	Crow Butte Project
Location:	Crawford, Dawes County, Nebraska
Dates:	February 8-11, 1999
Inspector:	Douglas S. Simpkins, Radiation Specialist Fuel Cycle and Decommissioning Branch
Approved By:	D. Blair Spitzberg, Ph.D., Chief Fuel Cycle and Decommissioning Branch
Attachment:	Supplemental Information

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## EXECUTIVE SUMMARY

## Crow Butte Project NRC Inspection Report 40-8943/99-01

This inspection included a review of management organization and controls; in-situ leach operations; radiation protection; and the licensee's waste management and transportation programs. Overall, the licensee was operating the facility in a safe and effective manner.

#### Management Organization and Controls

- The licensee's organizational structure was in agreement with the license requirements, and adequate oversight had been provided for site activities (Section 2.2).
- A review of the licensee's implementation of the provisions of the performance-based license demonstrated the licensee had correctly implemented the requirements of the license (Section 2.3).
- Records review indicated two safety procedures had not been properly reviewed by the CRSO. This was noted as a Severity Level IV violation. The licensee committed to corrective actions during the inspection (Section 2.4).

#### In-situ Leach Facilities

- Site activities were conducted in accordance with applicable license and regulatory requirements. Site operating parameters were within the respective license limits, and no health or safety hazard was identified (Sections 3.2 and 3.3).
- A review of the licenseo's spill management program did not identify any spills that had not been properly reported to the NRC. Also, the overall number of spills that occurred during 1998 was down from the previous year (Section 3.4).

#### **Radiation Protection**

 The licensee had implemented a radiation protection program that met the requirements established in 10 CFR Part 20 and the license (Section 4).

#### Radioactive Waste Management

 A review of the licensee's waste management program indicated the licensee was in compliance with the requirements of the license and NRC regulations (Section 5).

## Transportation

 A review of the licensee's transportation program indicated the licensee is conducting shipping operations in accordance with 10 and 49 CFR (Section 6).

#### **Report Details**

#### Site Status

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During the inspection, Crow Butte Resources' in-situ uranium mine was in operation with Mine Units 3, 4, 5 and 6 in service and Mine Units 1 and 2 in restoration. In Mine Unit 6, Well Houses 23 and 24 had been placed into service since the lest inspection, with Well House 25 ready to start production. Mine Unit 6 also had Well House 26 ready to start this year, and Well House 27 starting next year. Construction of Well House 28 in Mine Unit 7 will be completed and operations will begin this year.

The licensee continues to produce yellowcake material in the Central Processing facility. Uranium-bearing leach solution was pumped from the well fields to the process facility at a nominal flow rate of 4200 gallons per minute. Ion exchange columns were used to recover uranium from the leach solution. The end product was dried in a negative pressure dryer and packaged in 55-gallon drums for shipment offsite. According to information provided by the licensee, the site produced about 727,400 pounds of yellowcake product during 1998, down slightly from the previous year.

Restoration activities included both recirculation cleanup in Mine Unit 1 and reverse osmosis/ion exchange column cleanup in Mine Unit 2. Three reverse osmosis units were in service, while an additional unit was in standby. Restoration flow was roughly 250 gallons per minute during the inspection.

Waste water was disposed through one deep-disposal well and several evaporation ponds. Three commercial ponds and two research & development ponds have been installed at the site. The licensee is authorized to dispose of waste water through the land application process, but the licensee currently has no plans to start using this waste water disposal method in the near future.

## 2 Management Organization and Controls (88005)

#### 2.1 Inspection Scope

The organizational structure was reviewed to ensure that the licensee had established an effective organization with defined responsibilities and functions and to determine what controls were in place to ensure compliance with NRC requirements.

## 2.2 Management Organization

The organizational structure requirements are provided in License Condition 9.3, which references the NRC-approved license renewal application dated December 1995, as amended. Also, assignments and reporting responsibilities are provided in License Condition 9.12 which references Regulatory Guide 8.31, Information Relevant To Ensuring That Occupational Radiation Exposures At Uranium Mills Wil! Be As Low As Is Reasonably Achievable. One change in the organization is Mr. Ralph Knode, Vice

President/Manager of Development has changed assignments to Power Resources, inc., a branch of the parent company to CrowButte Resources, Inc. Mr. Knode's responsibilities were distributed to other personnel, and the vacancy will remain open.

The licensee continued to maintain a staff of about 40-45 employees (41 at the time of the inspection), operating the plant around the clock. In addition, 12 contractors were utilized for well installation. Overall, the licensee's site organizational structure was consistent with those in place during previous inspections, and an appropriate level of oversight had been provided for the current mode of plant operations.

## 2.3 Performance-Based License Review

The NRC issued Crow Butte Resources a performance-based license on March 4, 1998. License Condition 9.4 states the licensee may, under certain conditions and without prior NRC approval, make changes in the facility or processes, make changes to procedures, or conduct tests and experiments not presented in the license application. The licensee's implementation of the performance-based license provisions was reviewed to ensure any changes made by the licensee did not negatively impact the licensing basis of the site. The licensee held three Safety and Environmental Review Panel (SERP) meetings since the previous inspection:

- Recision of a portion of a previous SERP decision which had granted approval for a change to the groundwater restoration goal values from a "mine unit average" value to a "wellfield average plus three standard deviations. The SERP did not have the authority to approve the previous change because the "mine unit average" goal was specifically referenced in a license condition.
- Review and approval to utilize temporary tanks and piping to inject a higher bicarbonate solution into a test well to determine if the change would yield an increase in uranium production.
- Review and approval of a resin elution process change.

It was concluded the SERP panel conclusions were technically and administratively adequate.

### 2.4 Standard Operating Procedures

License Condition 9.6 requires an annual review by the CRSO of all existing SOPs. This was performed within the specified interval. Additionally, all written procedures for both operational and non-operational activities shall be reviewed and approved in writing by the CRSO before implementation and whenever a change in procedure is proposed to ensure that proper radiation protection principles are being applied. However, there were two safety procedures which were not reviewed by the CRSO after development. This was classified as a severity level IV violation. The licensee committed during the inspection to correct this violation by reissuing the procedures after CRSO review and approval. This corrective action was adequate to resolve this violation.

## 2.5 Conclusions

In summary, the licensee continued to maintain a staff at the site which met the intent of the license. The licensee had correctly implemented the requirements of the performance-based license. The licensee reviewed the SOPs in accordance with license requirements. Two procedures were not officially reviewed by the CRSO, a violation of License Condition 9.6. The licensee committed to adequate corrective action during the inspection.

## 3 In-Situ Leach Facilities (89001)

### 3.1 Inspection Scope

A site tour was performed to verify that site activities were being conducted in accordance with applicable regulations and the conditions of the license, and to ensure that operational controls were adequate to protect the health and safety of the workers and members of the general public. In addition, compliance with selected operations-related license conditions and the process fluid spill management program were reviewed.

## 3.2 Site Tour

During the site tour, site buildings, equipment, fences, and gates were observed. Site fences were in good condition and were properly posted in accordance with License Condition 9.11. The mill and related components have been properly maintained and operated. No equipment misalignments were identified, and no process flow, level, or pressure parameters were found outside of their required ranges. Housekeeping was adequate with no loose trash or debris identified on the floor. In summary, no health or safety hazard was identified during the site tour.

#### 3.3 Review of Production Parameters

License Condition 10.5 states the annual throughput shall not exceed a flow rate of 5,000 gallons per minute (gpm), excluding restoration flow. At the time of the site tour, the production flowrate was 4277 gpm, while the injection flowrate was 4204 gpm. The 73-gpm difference was attributed mainly to the process bleed flow used to maintain a negative groundwater gradient in the wellfields. In summary, actual flow rates were well below the limitation established in the license.

License Condition 10.7 provides restrictions on the control of liquid effluents. Liquid effluents were being returned to the process circuit, disposed of via deep-well disposal, or discharged to the evaporation ponds. During the site tour, no evidence of improper process fluid releases was observed.

The licensee dried the yellowcake product using a vacuum chamber dryer, required to be operated and maintained in accordance with the requirements listed in License

Condition 10.8 which assures a negative pressure during system operation. All licensebased instrumentation was verified operational.

License Condition 11.1 states, in part, during weilfield operations, injection pressures shall not exceed the integrity test pressure (100 pounds per square inch [psi]) at the injection well heads. The well injection fluid pressure in the pipe exiting the Central Processing facility was approximately 85 psi. Two wellfield houses were toured, and the well injection pressures were less than 100 psi in both houses. Process flows and pressures were obtained and recorded in accordance with License Condition 11.1.

During the site tour, independent ambient gamma surveys were performed in the Central Processing facility. No radiation areas were identified which were not already identified and properly posted, indicating the radiological monitoring program was adequately locating and posting these areas. Also, no yellowcake product was observed on the floor of the Central Processing facility, indicating housekeeping activities were adequate.

In summary, the licensee was operating the plant in accordance with the conditions of the license. Housekeeping was adequate, and no abnormal leakage was observed. No health or safety hazard was identified during the plant tour.

#### 3.3 Management of Spills

License Condition 12.4 states that until license termination, the licensee shall maintain documentation on all spills of source or 11e.(2) byproduct materials. Also, the licensee is required to notify the NRC of any spill that may have a radiological impact on the environment. The maintenance of the spill records is required, in part, by the decommissioning record-keeping requirements of 10 CFR 40.36(f). Records of the 1998 spills were reviewed to ascertain whether the licensee reported any significant spills to the NRC.

The licensee maintained extensive spill records for all solution releases. Records indicated 6 additional spill incidents occurred since the previous inspection, for a total of 21 spills for 1998. As a reference, the licensee experienced 18 spills during 1997 and 27 spills during 1996. The 1998 spills varied from negligible amounts up to 50,000 gallons. The largest spill occurred on May 19, 1998, when one injection well head failed, resulting in the release of 50,000 gallons of lixiviant.

In all cases but one, the spills were determined by the licensee to be not reportable to the NRC. The one reportable incident involved a spill that reached the local creek. (This incident was discussed in Section 6.3 of inspection report 40-8943/98-02.) In summary, a review of the licensee's site procedure guidance and spill records for 1998 did not identify any incident that had been mis-classified by the licensee. No spill was identified that should have been reported to the NRC but was not reported.

## 3.4 Emergency Plan

Emergency preparedness is addressed in the SOPs, Safety Procedures section. It was noted fire protection procedure refresher training was given semi-annually for all personnel. Also, all fire protection equipment had been inspected. In summary, the licensee was in compliance with the requirements for emergency preparedness.

#### 3.5 Conclusions

Site activities were conducted in accordance with applicable license and regulatory requirements. Plant process parameters were within the licensed limits, site fences were in good condition, and perimeter postings were appropriate. No health or safety concern was identified during the plant tour. Also, a review of the licensee's spill management program did not identify any spills which had not been properly reported to the NRC. The licensee's emergency preparedness program met the requirements of the license.

## 4 Radiation Protection (83822)

### 4.1 Inspection Scope

The scope of this portion of the inspection was to determine if the licensee's radiation protection program was in compliance with requirements established in the license and 10 CFR Part 20 regulations.

## 4.2. Contamination Control Program Review

The contamination control program requirements are provided in Table 5.7-20, "Radiological Monitoring Program Summary," of the NRC-approved license renewal application as well as in License Conditions 9.3, 9.8, 10.11, and 11.5.

### a. Surface Contamination

Table 5.7-20 specifies that eating rooms, change rooms, control rooms, and office areas shall be surveyed for alpha contamination on a weekly basis. The licensee had performed the weekly surveys on a routine basis during 1998. The restricted and unrestricted areas were surveyed weekly using hand-held survey instruments for detection of total (fixed and removable) alpha contamination. In addition, smear tests for removable alpha contamination were performed monthly in the unrestricted areas. All sample results were noted to be below the respective license and action level limits.

Monthly swipe surveys were obtained to detect loose contamination in the unrestricted areas. No sample result exceeded the licensed limit of 1000 dpm/100 cm<sup>2</sup>.

In summary, the licensee appeared to have maintained positive control over surface contamination in all areas because no sample result exceeded the license limit during 1998.

## b. Monitoring of Employees for Surface Contamination

License Condition 10.11 states that employees shall monitor themselves with an alpha survey instrument prior to exiting the restricted area. Should the results of monitoring exceed an action level of 1000 dpm/100 cm<sup>2</sup>, employees shall decontaminate themselves to less than the action level. Also, Table 5.7-20 states that the licensee shall perform and document unannounced quarterly spot checks of the skin and personal clothing of employees leaving the process area. The licensee maintained an extensive number of log entries in this program area. A random check of the licensee's records indicated site employees were monitoring themselves with an alpha survey meter prior to exiting the restricted area, and no individual had left the site (after self-monitoring) with contamination above the release limit.

In summary, site employees were effective in decontaminating and scanning themselves prior to exiting the restricted area.

## c. Release of Equipment for Unrestricted Use

In accordance with License Condition 9.8, the release of equipment or packages from the restricted area shall be in accordance with the NRC guidance document entitled, "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct or Source Materials." The licensee's equipment release records for 1998 were reviewed during the inspection. The licensee maintained extensive, detailed records of equipment released from the site. The licensee's records indicated no items had been released with contamination in excess of the fixed surface and removable contamination limits of 15,000 and 1000 dpm/100 cm<sup>2</sup>, respectively.

#### d. Respirator Surveys

Table 5.7-20 requires the licensee to perform surveys for alpha contamination on all respirators before reuse following cleaning. It was noted all survey results were less than 20 dpm/100 cm<sup>2</sup> with an action level of 100 dpm/100 cm<sup>2</sup>. The records indicate the licensee's respirator cleaning activities were effectively removing any loose or fixed contamination.

## 4.3 Site Inspections

Table 5.7-20 requires a daily walk-through in all areas where the potential for yellowcake contamination exits. The daily walk-through is used, in part, to identify locations with visible yellowcake material. Table 5.7-20 also requires the ventilation system to be inspected daily in all areas with the potential for airborne radioactivity exists. Further,

License Condition 11.5.A requires the licensee to document problems observed during the daily walk-through inspections in writing.

The licensee's daily walk-through records were reviewed. The walk-throughs were being performed on a daily basis, and the inspections included a requirement to specifically observe the operation of the ventilation equipment. Problem areas such as visible yellowcake material and housekeeping concerns were adequately documented.

Weekly inspections were required by License Condition 11.5.B. These inspections allowed the licensee to observe general radiation control practices and to review required changes in procedures and equipment. These inspections were required to be performed by the CRSO and the plant manager (or designees). The licensee clearly documented it had performed these inspections weekly since the issuance of the performance-based license during March 1998. Problems identified and corrected included observation of system leaks, accumulation of trash and other housekeeping concerns.

#### 4.4 Bioassay Program Review

The bioassay program requirements are listed in License Condition 10.12. The licensee's program consisted of quarterly urine bioassays for people who work in areas where the possibility of yellowcake inhalation existed, with annual sampling for all other site workers. In addition, baseline samples were obtained from all new employees prior to their initial assignment at the plant, and termination samples were obtained from personnel terminating employment with Crow Butte Resources, Inc. Further, samples were obtained as delineated by the conditions listed in radiation work permits. Although not required by the conditions of the license, the licensee obtained monthly bioassay samples from several workers assigned to yellowcake packaging operations and quarterly samples from all other workers.

The licensee had maintained extensive records related to bioassay sampling. During 1998, 175 bioassay samples were obtained from site workers and were analyzed by an offsite laboratory, including 34 blank and spiked samples for quality control purposes. No sample result exceeded the lowest action level of 15 micrograms of natural uranium per liter of urine.

The sample results for 1998 were compared to 1997's sample results. No individual exceeded the action level during these years, suggesting that the licensee was effectively controlling intake of radioactive materials through the use of respirators, control of the radioactive materials and engineering controls.

#### 4.5 Radiation Work Permits

Radiation work permit (RWP) requirements are provided in License Condition 10.9. The licensee issued 10 RWPs during 1998. One RWP (98-10) was reviewed and was compared to the conditions of the license. This RWP provided guidance to workers conducting a tank entry for the dryer assembly. The RWP was noted to be a thoroughly

documented work package that clearly listed the radiological hazards and monitoring requirements. In addition, all RWPs were accompanied by breathing zone air samples or an applicable air sample in accordance with License Condition 10.9. Discussions with workers who have participated in RWP work packages indicated an adequate review and clear understanding of the precautions and limitations involved.

In summary, the licensee's radiological controls were effective because bioassay samples revealed that no radioactive material had been ingested during the performance of non-routine work activities.

## 4.6 Training Program Review

The training program requirements are listed in License Condition 9.13. Training consisted of annual refresher, new employee, bi-monthly and respiratory protection training. Annual refresher training was conducted for all employees during June 1998. An examination was administered to validate the training received. Bi-monthly training combined pertinent radiological and industrial hygiene topics. New employee training was provided on an as-needed basis and included a written examination. Reviewed training records were complete.

## 4.7 Respiratory Protection

The respiratory protection program was reviewed during the inspection. Only three site employees were fully qualified to wear respirators; two employees involved with the yellowcake packaging operations and the plant manager. All three qualified individuals had prescribed lens inserts for the masks. The licensee provided annual respirator refresher training and fit testing in accordance with the license application. Finally, pulmonary medical tests were performed within the recommended time frame. Two additional employees have initiated respiratory protection qualification, but have not had the fit tests.

In summary, the licensee provided respiratory protection training that met the requirements of the license. The training was effective because the licensee did not identify any uptake of uranium during routine bioassay sampling conducted in the past 2 years.

#### 4.8 Airborne Natural Uranium Surveys

License Application Section 5.7.3.1 states that the licensee shall perform monthly surveys for airborne natural uranium in compliance with NRC Regulatory Guide 8.25, "Air Sampling in the Workplace." The highest routine sample identified a concentration of 1.95 E-11 microcuries per milliliter ( $\mu$ Ci/ml) in the area of the belt filter during August 1998. All samples were taken within the required periodicity and appropriate locations.

In summary, the licensee obtained the airborne natural uranium surveys as required by the license application.

## 4.9 Monthly Surveys for Radon Progeny

License Application Section 5.7.3.2 states the licensee shall perform monthly surveys for radon or radon progeny in the restricted area inhabited by workers, with the exception that the surveys shall be increased to weekly if concentrations are found to exceed the action level of 0.08 Working Levels. In practice, the licensee measured radon progeny concentrations using the Modified Kusnetz method. Also, the licensee normally collected the samples during worst-case situations, such as during the early morning hours prior to the opening of the building doors.

The highest concentration for the year was 0.091 working levels, measured on August 20, 1998, in the Central Processing Plant near the injection filters. The problem was identified by routine monthly sampling as leaky injector filters and broken seals on the stack-blower transition of the west column blower system. Radon concentrations dropped to the previous normal levels after repairs were made. Sampling continued weekly for four weeks in accordance with the license application.

Review of this incident did not reveal any additional concerns, and the licensee took effective corrective actions in response to the incident. No other radon progeny sample exceeded the action level of 0.08 working levels during the remainder of 1998.

## 4.10 Instrument Calibrations

License Condition 10.13 states all radiation and environmental monitoring, sampling, and detection equipment shall be recalibrated after repair and as recommended by the manufacturer or at least annually, whichever is more frequent. The licensee's calibration records and availability of equipment were reviewed. The licensee had maintained calibrated equipment available for use, and had maintained records indicating all equipment was routinely calibrated.

### 4.11 Conclusions

The licensee had implemented a radiation protection program that met the requirements established in 10 CFR Part 20 and the conditions of the license. The licensee's control of ingestion and inhalation of radioactive materials was effective based on the observation that licensee personnel had not experienced an uptake of natural uranium for at least two years.

#### 5 Radioactive Waste Management (88035)

#### 5.1 Inspection Scope

The purpose of this portion of the inspection was to determine if the licensee's radioactive waste management program was in compliance with requirements established in the license and 10 CFR Part 20 regulations.

#### 5.1 Onsite Contaminated Materials Storage Areas

License Condition 10.14 states the licensee shall maintain an area within the restricted area boundary for storage of contaminated materials prior to disposal. The licensee had developed and maintained two areas for storage of contaminated materials, one inside of the Central Processing facility and one outside of the Reverse Osmosis building. These areas were clearly marked, and no potentially contaminated item was identified outside of the respective restricted areas.

## 5.2 Waste Shipments

There were no waste shipments since the previous inspection.

#### 5.3 Conclusions

The licensee's waste management system met the intent of the license.

### 6 Transportation (86740)

#### 6.1 Inspection Scope

The scope of this portion of the inspection was to determine if the licensee's transportation and shipping program was in compliance with requirements established in 10 CFR and 49 CFR regulations.

## 6.2 Transportation Shipments

Seven yellowcake shipments were performed since the previous inspection, including one conducted during the inspection. All manifests from previous shipments were reviewed, and all required documentation was available. All containers were appropriately labeled for yellowcake shipments. During the loading of the shipment, previously surveyed drums were loaded onto the transport vehicle, surveyed again and properly blocked and braced. After loading, the shipment radiation levels were verified and annotated on the appropriate forms. The driver was interviewed, and the emergency spill kit inventoried. No discrepancies were found.

#### 6.3 Conclusions

The licensee properly conducted shipping operations in accordance with 10 CFR and 49 CFR.

### 7 Followup (92701)

#### 7.1 NRC Information Notice 96-70: Year 2000 Effect on Computer System Software

This Notice was issued to alert licensees of the potential problems that may occur with their computer systems and associated software as a result of the upcoming change to the new century. During this inspection, the licensee's actions taken in response to this NRC Information Notice were reviewed. In summary, all site computer systems and controllers were Year 2000 compliant, with the exception of a few non-process related personal computers.

7.2 <u>NRC Information Notice 99-03</u>: Exothermic Reactions Involving Dried Uranium Oxide Powder (Yellowcake)," issued January 29, 1999.

This Information Notice was issued to alert licensees to the potential for drummed yellowcake to react with hydrocarbons and generate excessive pressures. In two cases, excessive pressures were generated in drummed yellowcake from the generation of oxygen from the breakdown of process hydrogen peroxide. In two additional cases, hydrocarbon contaminants were introduced into the processes and packaged with the yellowcake. Subsequent reactions generated excessive heat and gas production.

The licensee's actions taken in response to Information Notice 99-03 were reviewed during this inspection. The licensee was aware of the oxygen generation problem at other facilities and had designed their dryer system to incorporate a cool-down cycle prior to packaging; therefore, the licensee had already taken the appropriate corrective actions prior to the release of the Information Notice.

The licensee was also aware of the hydrocarbon contaminant problem. The licensee stated visual inspections of the processed yellowcake are performed while the product is being packaged. This system had alerted the operators to a similar problem in 1997, which was immediately corrected. The licensee planned to take no further specific action related to the hydrocarbon contaminant incidents discussed in the Information Notice.

## Exit Meeting Summary

The inspector presented the inspection results to the representatives of the licensee at the conclusion of the inspection on February 11, 1999. Licensee representatives acknowledged the findings as presented. The licensee did not identify anything reviewed by the inspector as proprietary.

## SUPPLEMENTAL INFORMATION

### PARTIAL LIST OF PERSONS CONTACTED

#### Licensee

M. Griffin, Manager of Environmental/Regulatory Affairs

.

- R. Grantham, Radiation Safety Officer
- S. Magnuson, Vice President/Manager of Operations
- C. Miller, Plant Superintendent

### ITEMS OPENED, CLOSED AND DISCUSSED

#### Opened

40-8943/9901-01

NOV Failure to have the CRSO review and approve all operational and non-operational SOPs.

Closed

None.

#### Discussed

Information Notice 99-03: Exothermic Reactions Involving Dried Uranium Oxide Powder (Yellowcake)," issued January 29, 1999

## LIST OF ACRONYMS USED

CFR	Code of Federal Regulations
CRSO	Corporate Radiation Safety Officer
dpm/100 cm <sup>2</sup>	disintegrations per minute per 100 square centimeters
gpm	gallons per minute
µCi/ml	microcuries per milliliter
NRC	Nuclear Regulatory Commission
PDR	Public Document Room
RWP	radiation work permit
SERP	Safety and Environmental Review Panel
SOP	standard operating procedure

# INSPECTION FOLLOW-UP SYSTEM (IFS) DATA ENTRY FORM NUCLEAR MATERIALS SAFETY AND SAFEGUARDS

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