



JAMES RIVER CORPORATION  
JAMES RIVER GRAPHICS GROUP  
28 Gaylord Street, South Hadley, MA 01075  
(413) 536-7800 Telex 95-5441 Cable JR GRAF

June 23, 1989

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Director, Office of Enforcement  
U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC. 20555

SUBJECT: JAMES RIVER PAPER COMPANY (JAMES RIVER GRAPHICS  
GROUP - SOUTH HADLEY, MASSACHUSETTS) GENERAL  
LICENSE (10 C.F.R. 31.5) NOTICE OF VIOLATION AND  
PROPOSED IMPOSITION OF CIVIL PENALTY EA 89-62

Gentlemen:

On behalf of James River Paper Company's James River Graphics Group  
("James River") and in response to the NRC's Notice of Violation and  
Proposed Imposition of Civil Penalty, I enclose the following:

1. James River's check payable to Treasurer of the United States  
in the amount of \$1,250 in payment of the civil penalty pro-  
posed.
2. The original and two (2) confirmed copies of James River's  
Reply to a Notice of Violation.

Service should be made on the undersigned at this address.

Sincerely,

Alfred T. DiLascia  
Vice President &  
General Manager

ATD/E5:807  
Enclosure

cc: Regional Administrator  
U. S. Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, PA. 19405

8906290337 890623  
NMSS LIC30  
48-25825-01 PDC

JE14  
w/check \$1250



UNITED STATES OF AMERICA  
BEFORE THE  
NUCLEAR REGULATORY COMMISSION

James River Paper Company	)	General License
(James River Graphics -	)	(10 C.F.R. 31.5)
South Hadley, MA.)	)	EA 89-62

REPLY TO A NOTICE OF VIOLATION

Pursuant to 10 C.F.R. 2.201, James River Paper Company ("Licensee"), hereby submits its Reply to the Notice of Violation and Proposed Imposition of Civil Penalty ("NOV") issued by the Nuclear Regulatory Commission ("NRC") on June 2, 1989, with respect to the Licensee's James River Graphics Group facility at South Hadley, Massachusetts.

The violation charged was that, between October 4 and October 11, 1988, Licensee disposed of a generally-licensed static eliminator bar containing 22.5 millicuries of Americium-241 and that this transfer or disposal was not made to a person holding a specific license pursuant to 10 C.F.R. Parts 30 and 32 or from an Agreement State to receive the device. Specifically, Licensee was charged with improperly disposing of the device by transferring it to an unlicensed sanitary landfill. A civil penalty of \$1,250 was proposed.

Also on June 2, 1989, the NRC issued an Order Modifying License in In the Matter of James River Corporation, General License, 10 C.F.R. 31.5, Docket No. 99990001, EA 89-62, requiring James River Corporation to conduct on-site audits of each facility where NRC-licensed material is used or stored, to submit reports on these audits and to develop a corporate-wide plan to insure that NRC-licensed materials are adequately controlled and disposed of only in an authorized manner. James River Corporation will make a separate response to the Order Modifying License in compliance with that order and applicable regulations.



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In accordance with 10 C.F.R. 2.201 and the NOV, Licensee states as follows:

(1) Admission or Denial of the Alleged Violation -- Licensee admits the alleged violation.

(2) The reasons for the violation, if admitted -- The reason for the violation was human error. The device in question was one (1) Herbert Radioactive Static Eliminator Bar that was one of three (3) such bars installed in a machine that was being dismantled by contractor personnel for disposal. These personnel apparently understood that only two (2) of these bars were located in the machine. The two other bars were carefully removed and placed in a lead-walled container for storage. The third bar was properly labeled as radioactive but was not identified to these personnel as such, apparently because they understood that only two bars were in the machine. This third bar is believed to have been removed by them with other dismantled machine parts and left in a debris pile for disposal in a local landfill. This bar was discovered to be missing on October 11, 1988.

(3) The corrective steps that have been taken and the results achieved -- The NRC was notified on October 11, 1989, upon verification that the bar was missing. An investigation was initiated to attempt to locate the missing bar. Assistance was provided by the facility's Radioactive Safety Consultant, Robert Gallagher of the University of Massachusetts. The bar was not found at the South Hadley facility or at the warehouse where other salvageable machine parts from the dismantling operation were stored. The dismantling contractor was virtually certain that the bar had been disposed of, with non-salvageable machine parts, into the Browning-Ferris Industries ("BFI") landfill in Chicopee, Massachusetts.





The BFI-Chicopee landfill is a "commercial-only" landfill and is double-lined with two feet of clay and a 60 mil synthetic liner. According to BFI, each load of debris is compacted with a two-foot layer, and is covered over by the next load, also compacted to a two-foot layer. At the end of each day, the entire face of the landfill is covered with six inches of clean fill. Again, according to BFI, the bar would have been buried under six feet of debris and fill material by mid-October of 1988. The nearest residences are 450 to 500 feet away from the landfill.

On October 17, 1988, Jeffrey M. Collins, Safety Manager for the South Hadley facility, toured the landfill with BFI personnel and Mr. Gallagher. Using a Ludlum Model 3 with a 43-1 probe (alpha scintillator), Mr. Gallagher sampled a 100' x 50' area identified by BFI as the most likely location. All surface debris and the area were checked. The rubbish compactors, their wheels, and all debris collection points were also sampled. No detectable readings were recorded.

The South Hadley facility has taken the following measures to prevent recurrence of the loss of such devices:

- \*\* The facility's Radiation Device Control System in place before October 4 has been reviewed and re-emphasized to operating personnel, thereby increasing employee awareness and training in the importance of proper control and handling of radioactive materials.
- \*\* The Monthly Safety Audit Checklist has been updated to include inspection of radiation devices.
- \*\* The New/Altered Equipment/Process Safety Checklist has been updated to include a more detailed review of radiation devices which should preclude a similar incident from recurring.



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- \*\* Policies have been instituted to require that no new or replacement radiation device is to be obtained without written approval from the Vice President of Operations. The improved audit and inventory procedures mentioned above are designed to enhance the accuracy and completeness of the information supplied to contractors working on South Hadley equipment. Controls have been tightened over both short-term (under 8 hours) and long-term (over 8 hours) storage of bars, including institution of a requirement that long-term storage of bars be approved by the Vice President of Operations.
- \*\* Review of operations has been instituted to investigate the elimination of the use of radioactive materials wherever feasible.
- \*\* The plant has established a program of unannounced internal audits to review procedures for handling of radioactive materials and for correction of any deficiencies found. Such an unannounced audit was performed on May 22, 1989. All radioactive materials in the plant inventory were located and found to be in compliance with regulations.



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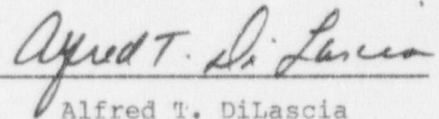
(4) Corrective steps that will be taken to avoid further violation -- The South Hadley facility will continue to implement the measures outlined in No. 3. above. In addition, Mr. Collins will attend an Occupational and Environmental Radiation Protection course at Harvard University in August of 1989.

(5) The date when full compliance will be achieved -- Licensee believes that the South Hadley facility has achieved full compliance in order to prevent further violation of 10 C.F.R. 31.5(c)(8).

Respectfully submitted,

JAMES RIVER PAPER COMPANY  
(James River Graphics Group -  
South Hadley, Massachusetts)

By



Alfred T. DiLascia

Vice President &

General Manager

James River Graphics

ATD/E5:807(812)

6/23/89