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**KAISER ALUMINUM
& CHEMICAL CORPORATION**

LAW DEPARTMENT

December 18, 1992

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

Re: **REPLY TO A NOTICE OF VIOLATION**

Dear Mr. Lieberman:

This letter constitutes the reply of Kaiser Aluminum & Chemical Corporation ("Kaiser") to the Notice of Violation and Proposed Imposition of Civil Penalty ("NOV & PICP") issued to Kaiser by A. Bert Davis, Regional Administrator for Region III of the U.S. Nuclear Regulatory Commission ("NRC"), on November 20, 1992. Pursuant to the provisions of 10 C.F.R. 2.201, the requirements as set forth in the NOV & PICP, and the discussions which have taken place between counsel for Kaiser, Edward J. George and NRC Region III staff (including, among others, Bruce Bursten, Esquire, Bob DeFayette, B. J. Holt and James Mullauer), Kaiser responds as follows.

Although unable to admit or deny the allegations as set forth in the above-referenced NOV & PICP, and without admitting or denying said allegations, Kaiser nevertheless does not and shall not contest the same. Additionally, and pursuant to the provisions of 10 C.F.R. 2.205 and the requirements as set forth in the NOV & PICP, Kaiser has enclosed herewith check number 00048861, payable to the Treasurer of the United States, in the amount of \$625.00, which represents full payment of the Civil Penalty as proposed under the NOV & PICP.

The corrective steps that have either been implemented or will be implemented in order to ensure compliance with NRC regulations include the performance of a comprehensive inventory of licensed materials at Kaiser facilities, the development of an internal radiation safety audit program at the corporate level and updating the existing facility audit programs; the development of periodic company-wide workshops, the curricula of which will specifically include radiation safety; and contracting for the services of a health physics specialist to assist in the implementation of all of the above. The results of all of these various efforts are being achieved on an on-going basis. At

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present, and to the best of Kaiser's knowledge, all Kaiser facilities are in full compliance with NRC regulations.

Pursuant to A. Bert Davis' separate letter to Kaiser, dated November 20, 1992, Kaiser is required to submit a report of the above-referenced inventory and the corrective steps taken and planned "at the same time as" its response to the NOV & PICP. Pursuant to the discussions between Edward J. George and NRC Region III staff and the provisions as set forth in the NOV & PICP itself, Kaiser hereby respectfully requests an extension of the time in which it must respond to NRC Region III with the results of the above-referenced inventory and a description of the specific steps taken or planned. Kaiser respectfully requests the current deadline of December 20, 1992 be extended to February 5, 1993 for its response in this regard.

The information supplied herein has been supplied in order to fully cooperate with the NRC in an effort to achieve a satisfactory resolution of this matter.

Sincerely yours,



Charles B. Brown
Assistant General Counsel

CBB:mm

Enclosure

Check No. 00048861


cc: A. Bert Davis
Regional Administrator
U.S. Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137

AFFIDAVIT

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

Charles B. Brown, counsel for Kaiser Aluminum & Chemical Corporation, being duly sworn, affirms that the statements contained in the attached response to the Notice of Violation and Proposed Imposition of Civil Penalty are true to the best of his information and belief.




Charles B. Brown

Taken, sworn to and subscribed before me this 18th day of December, 1992.

My commission expires MAY 14, 1994.

Seal





Notary Public