



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION V

1450 MARIA LANE
WALNUT CREEK, CALIFORNIA 94586-5368

NOV 20 1992

Docket No. 70-734

General Atomics
P. O. Box 85608
San Diego, California 92138

Attention: Mr. R. M. Rademacher, Vice President
Human Resources

Thank you for your letter dated November 12, 1992, in response to our Notice of Violation (Notice) and Inspection Report 70-734/92-07, informing us of the steps you have taken to correct the items we brought to your attention.

Your corrective actions appear to resolve our concerns regarding the violation and the other concerns with your emergency preparedness and respiratory protection programs referenced in the inspection report. Your corrective actions will be reviewed during a future inspection.

Your cooperation with us is appreciated.

Sincerely,

Robert J. Pate, Chief
Safeguards, Emergency Preparedness,
and Non-Power Reactor Branch

cc:
Dr. Keith E. Asmussen, Manager
Licensing, Safety and Nuclear Compliance

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bcc w/copy of letter dated November 12, 1992:

Docket File
Inspection File
G. Cook
R. Huey
B. Faulkenberry
J. Martin
State of California
J. Zollicoffer

bcc w/o copy of letter dated November 12, 1992:
M. Smith

Region V/ann

McIllis

11/19/92

RPate

11/20/92

RHuey

REQUEST COPY	REQUEST COPY	REQUEST COPY	SEND TO PDR
YES / NO	YES / NO	YES / NO	YES / NO

GENERAL ATOMICS

November 12, 1992
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U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Subject: Docket No. 70-734; License No. SNM-696: Reply to a Notice of Violation

Reference: Pate, Robert J., Letter to General Atomics, ATTN: Mr. R.N. Rademacher,
"Notice of Violation/NRC Inspection Report No. 70-734/92-07," dated
October 13, 1992

Gentlemen:

Enclosed (Attachment 1) is General Atomics' (GA's) response to the Notice of Violation issued on October 13, 1992 (Reference). This response was prepared pursuant to the provisions of 10 CFR 2.201.

Also enclosed (as Attachment 2) is GA's response regarding actions taken, or to be taken, to improve and strengthen its respiratory protection and emergency preparedness programs.

GA trusts you will find its corrective action measures to be appropriate and satisfactory. If you should have any questions concerning this response, please contact me at (619) 455-2823.

Very truly yours,

Keith E. Asmussen

Keith E. Asmussen, Director
Licensing, Safety, and Nuclear Compliance

KEA:shs

Enclosures - as above

cc: ~~Mr. M. G. H.~~ U.S. NRC Region V
Ms. Merri Horn, U.S. NRC Headquarters
Mr. John B. Martin, Regional Administrator, U.S. NRC Region V
Mr. Robert J. Pate, U.S. NRC Region V

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**General Atomics' Response to the
Notice of Violation / NRC Inspection Report No. 70-734/92-07**

During a routine inspection of General Atomics' NRC-licensed activities, which was conducted on August 24-26, 1992, one violation of NRC requirements was identified. The violation is restated below followed by General Atomics' (GA's) response.

VIOLATION:

Condition 9 of License No. SNM-696 authorizes, in part, the use of licensed materials in accordance with the statements, representations, and conditions contained in Part II, "License Specifications. " dated July 24, 1981, and supplements to the license application dated March 16, 1992 through June 24, 1992.

Section 8.1 of Part II of the License Specifications requires the licensee to develop and implement plans and procedures for coping with emergencies.

Section 10.4 of the NRC approved "Radiological Contingency Plan," dated October 1990, states in part: "The ERRDs (Emergency Response and recovery Directors) are responsible for an annual review of their facility's implementing procedure."

Contrary to the above, Building 39's emergency implementing procedures had not been reviewed by an ERRD in 1990 and 1991.

This is a Severity Level IV violation (Supplement IV)

GA's RESPONSE:

1. Reason for the Violation:

GA believes the reasons for this violation to be the following:

- 1) Personnel not adhering to the requirements stated in GA's NRC approved Radiological Contingency Plan,
- 2) Failure to effectively and clearly communicate to GA's Emergency response and Recovery Directors (ERRDs) the significance and importance of adhering to the requirement to review the emergency plan implementing procedures for their facilities on an annual basis.
- 3) Failure to recognize that the emergency implementing procedures for Building 39 had not been reviewed and revised as required.

2. Corrective Steps taken and Results Achieved:

- 1) The emergency plan implementing procedures for Building 39 were reviewed, revised and submitted to GA's Supervisor of Emergency Services for review and approval. The revised implementing procedures were approved by the Supervisor of Emergency Services and were subsequently incorporated into the corresponding Work Authorization, which itself was approved on November 10, 1992.
- 2) A training class for all ERRDs and alternate ERRDs was held on October 6, 1992. This class included emphasis on the importance and requirement for ERRDs to annually review, and revise as appropriate, the emergency implementing procedures for their facility.
- 3) It is now required that all emergency plan implementing procedures be reviewed and approved by the Supervisor of Emergency Services or his designee.
- 4) GA Health Physics Procedure No. 172 "Preparation and Issuance of a Work Authorization" has been revised to require that a current copy of the corresponding facility emergency implementing procedure be included with the Work Authorization (WA) when it is submitted for approval. (WA's must be renewed annually).
- 5) GA Form 1499, "Health Physics Check List," has been revised to include a line item asking whether the "Facility Emergency Procedures (reviewed and approved by Emergency Services) are attached." This form is included as a part of every new WA and annual WA renewal package.

3. Corrective Actions that will be Taken to Avoid Further Violations:

Please see Steps 2 through 5 discussed above. Additionally, a formal training program has been reestablished for the ERRDs and their alternates. Training classes will be scheduled annually.

4. Date When Compliance will be Achieved:

GA is currently in compliance.

**General Atomics' Response Regarding Actions for
Improving Management Oversight of Respiratory Protection Program
and Emergency Contingency Plan**

During a routine inspection of General Atomics' (GA's) NRC licensed activities which was conducted on August 24-26, 1992, weaknesses were observed in GA's respiratory protection and emergency preparedness programs. These were described in NRC Inspection Report No. 70-734/92-07 dated October 13, 1992. The actions GA has taken, or plans to take, to improve and strengthen each of these programs are stated below.

Actions to Strengthen Respirator Protection Program:

Given below is GA's response regarding respiratory program weaknesses described in Section 2.1, Items i through ix, of NRC Inspection Report No. 70-734/92-07. The single most important change being implemented by GA is to assign to a single organization, i.e., Health Physics, the responsibility for program oversight of the company's respiratory protection program. Administration of GA's respiratory protection program will be a closely coordinated effort involving Health Physics, Industrial Safety and Emergency Services. Accordingly, the "top level" procedure for GA's respiratory protection program will be a joint procedure which will be reviewed and approved by Health Physics, Industrial Safety (Industrial Hygiene) and Emergency Services. Other subordinate respiratory protection program procedures will be consistent with this "top level" procedure.

Items i through ix from Section 2.1 of the subject inspection report are listed below. Following each restatement of Items i through ix is GA's corresponding response.

- i) Procedure HP-182 was in the process of being developed as a replacement for Procedure HP-48. The licensee's staff felt that Procedure HP-48 was too generic. The inspector concurred with this observation.

GA's Response to Item i):

GA's Health Physics Procedure HP-182 will replace HP-48, which is too generic. The scope of HP-182 will be increased to make it the "top level" procedure for GA's respiratory program while GA continues to evaluate the situation so as to determine the most effective procedural approach. Due to the increase in scope of this procedure and interfacing with Industrial Safety/Industrial Hygiene and Emergency Services, the procedure will need to be revised further to incorporate additional information. GA expects to issue a revised procedure, HP-182, by December 23, 1992.

- ii) Procedures used by the SES for training SCBA users had not been reviewed by the radiation protection group for compliance with the license conditions referenced above.

GA's Response to Item ii):

HP-182 will require that the Emergency Services procedures that deal with respiratory protection be reviewed and approved by the Manager, Health Physics or designee.

- iii) Two different methods were used to accomplish respirator the fit tests recommended by NUREG-0041. The fit test of SCBA users, performed by the SES is a basic qualitative fit test by exposing the user to a challenging atmosphere around the face mask. The health physics fit test consists of both a qualitative and quantitative fit test, using the latest state of the art fit test equipment.

GA's Response to Item iii):

General Atomics presently uses the two approved methods for fit testing from NUREG-0041 for different area programs. The Industrial Hygienist and Emergency Services use a qualitative fit test and Health Physics uses both qualitative and quantitative fit tests. With the restructuring of the respiratory program and closer contact of the groups involved there will an effort made to shift all groups to a quantitative fit test.

- iv) The training provided by the SES for SCBA users did not include a written examination at the conclusion of the training period; whereas, the training provided by the health physics staff is concluded with an approximate two hour written examination.

GA's Response to Item iv):

The Emergency Services training on Self Contained Breathing Apparatus (SCBA) will be reviewed, and revised if appropriate, and approved by the Manager, Health Physics or designee. The training will include classroom training and an exam, a practical factors session with a sign off sheet and appropriate fit testing with the appropriate documentation.

- v) The instructions provided to the respirator users by the SES's training program disallows the growing of beards; whereas, the training provided by the health physics group does permit users to grow a beard if the individual maintains shaving equipment readily available. The inspector saw two qualified respiratory users at the SVA project with beards. One

of the individuals did maintain shaving equipment in his desk while the other individual stated he had shaving equipment in his automobile.

GA's Response to Item v):

Personnel who have beards and/or any facial hair that interferes with a mask seal will not be qualified for wearing respiratory protection. Any person who is an emergency response team member must be clean shaven. (Personnel who use respiratory equipment on a non-emergency basis may have beards but will not be issued respiratory equipment or fit tested until they have shaved.)

- vi) The inspector could not readily determine if the training, respiratory fit-tests, and respirator medicine were current. Nor could it be readily determined the types of respiratory equipment that individuals were qualified to use. The records provided to the inspector were unclear, poorly organized, and had conflicting data.

GA's Response to Item vi):

The training records for the three groups involved, i.e., Health Physics, Industrial Safety/Industrial Hygiene and Emergency Services, will be integrated into a database set up and maintained by Health Physics. The database will be set up such that each group will have their own entry forms and reports which will have password access control required for data modification.

- vii) GA's Emergency Services department procedure does not address all of the recommendations of Regulation Guide (RG) 8.15, "Acceptable Programs for Respiratory Protection."

GA's Response to Item vii):

Emergency Services' respiratory protection procedures will be in compliance after the procedures are revised, reviewed and approved. Health Physics will be an integral part of the review and approval process for these procedures.

- viii) Discussions with the SES disclosed that SES was not aware of 10 CFR 20.103 requirements, the recommendations provided in RG 9.15 and NUREG 0041, or the conditions contained in Part II of the license.

GA's Response to Item vii):

The Supervisor, Emergency Services and his alternate have been given copies of 10 CFR 20.103, Regulatory Guide 8.15, NUREG-0041 and the respiratory section from Part II of the license. Health Physics will conduct a documented training session with the supervisor and alternate(s) by December 23, 1992.

- ix) The training records maintained by both the Emergency Services department and the Health Physics group were poorly organized and contained conflicting data.

GA's Response to Item v):

The database Health Physics is going to use will allow records (i.e. medical documents etc.) to be scanned into the database for easy retrieval. The master files will be kept in Health Physics. The database will be set up to allow reports to be generated to notify personnel of upcoming training and/or medical requirements that are necessary for them to maintain their qualifications.

All actions except for the database will be in place by December 23, 1992 which will give General Atomics a strong respiratory protection program. It will be further strengthened by the database which Health Physics is striving to have in place by February 1, 1992. This is an estimate subject to change due to uncertainties associated with the availability of the hardware, software and programming. Jirec to set up the system.

Actions to Strengthen Emergency Preparedness Program:

Given below is GA's response regarding steps taken to strengthen its emergency preparedness program. The response includes a description of the actions GA has taken, and those it plans to take, to address the concerns raised in Section 5.0 of NRC Inspection Report No. 70-734/92-07.

First, it should be noted that a number of the actions described above for strengthening GA's respiratory protection program will also work to improve its emergency preparedness program. In particular, the integrated database (see above Items vi and ix) that will be set up and maintained by Health Physics should result in much improved recordkeeping. It will also be useful in generating reminders of scheduled training, etc.

Other actions GA has taken, or plans to take, to improve and strengthen its emergency preparedness program include:

- 1) Reestablishment by the Emergency Coordinator (EC) of a formal training program for Emergency Response and Recovery Directors (ERRDs) and their alternates.

This training program will also extend to other key emergency personnel such as: alternate emergency coordinators, the managers of Nuclear Safety, Industrial Safety and Nuclear Material Accountability, the Chairman of the Criticality and Radiation Safety Committee and the Director of Facilities or his designee.

- 2) It is presently required that all emergency plan implementing procedures be reviewed and approved by the Supervisor of Emergency Services, or his designee. The ERRDs have been advised of this requirement, including the need to have the review and approval denoted by Emergency Services' sign-off (approval).
- 3) GA's Emergency Coordinator (EC) has been reminded of the importance and significance of his responsibility to assure that the emergency plan implementing procedures for each facility are reviewed and revised, as needed, annually.
- 4) As an added administrative control to assure that each facility has its emergency plan implementing procedures (EPIP) reviewed annually, GA's Health Physics Procedure, HP-172, "Preparation and Issuance of a Work Authorization," has been revised to require that a current (up-to-date) copy of the corresponding facility EPIP be included with the Work Authorization (WA) when it is submitted to Health Physics for renewal annually.
- 5) GA Form 1499, "Health Physics Check List," has been revised to include a line item asking whether the "Facility Emergency Procedures (reviewed and approved by Emergency Services) are attached." This form is included as a part of every new WA, as well as every annual WA renewal package.
- 6) GA's Supervisor of Emergency Services and the Emergency Coordinator have been instructed to raise to the Director, Licensing, Safety and Nuclear Compliance's attention, in a timely manner, any problems related to implementation of GA's Radiological Contingency Plan.
- 7) In the past, most of the emergency preparedness training has been provided by the Supervisor of Emergency Services. A qualified emergency services technician has now been delegated responsibility for much of this training. This action is intended to allow the Supervisor of

Emergency Services more time to provide oversight to the implementation of the Radiological Contingency Plan.

8) With regard to concerns specific to GA's Building 39, several specific actions have been taken, or have occurred:

- a) the emergency implementing procedures were revised, and then reviewed and approved by Emergency Services;
- b) all emergency response team members were trained;
- c) there is now a new Principal Investigator; and,
- d) there is now a new ERRD.

9) Other specific actions taken in support of implementing the GA Radiological Contingency Plan include the following:

- a) a training class for ERRD, alternate ERRDs and other key emergency plan personnel was held on October 6, 1992;
- b) Emergency response team Member training was conducted as follows:
 - i) CPR and First Aid on 9/8/92, 10/8/92 and 10/20/92;
 - ii) Fire Extinguishers and evacuation procedures on 9/14/92, 10/8/92 and 10/29/92;
 - iii) Self-contained breathing apparatus on 9/29/92, 10/7/92 and 10/29/92.

NOTE: Emergency Response Team Training will continue until all training for all members is completed. This is expected to be accomplished by December 23, 1992.

- c) Health Physics technicians are in the process of being qualified in the use of Self Contained Breathing Apparatus. This will be done on an annual basis.