

October 11, 1996

EA 96-309

San Juan Cement Company, Inc.  
ATTN: Mr. Roland Jolivet  
Vice President, Operations  
G.P.O. Box 366698  
San Juan, Puerto Rico 00936-6698

SUBJECT: NOTICE OF VIOLATION AND PREDECISIONAL ENFORCEMENT  
CONFERENCE SUMMARY [NRC INSPECTION REPORT  
NO. 52-25066-01/96-01]

Dear Mr. Jolivet:

This refers to the inspection conducted on July 22, 1996, and subsequent reviews of records performed through September 4, 1996, the results of which were discussed with your Radiation Safety Officer on September 5, 1996. The inspection included a review of activities authorized for your Dorado, Puerto Rico facility. At the conclusion of the onsite inspection, the preliminary findings were discussed with you. The preliminary inspection results were also documented in an inspection report dated September 10, 1996.

The inspection consisted of an examination of activities conducted under your license with respect to radiation safety and compliance with NRC regulations and the conditions of your license. It included selective examinations of procedures and representative records, interviews with personnel, and direct observations by the inspector.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). A predecisional enforcement conference was held at your facility on September 27, 1996. A list of individuals who attended the conference is provided in Enclosure 2. During the conference, the NRC expressed concern that Violation A in the enclosed Notice has been cited three consecutive times at your facility during NRC inspections. In response, your staff described the circumstances surrounding the causes for the violation, which were different from the previous two instances. Preliminary inspection findings documented in the inspection report also addressed an apparent failure to obtain NRC approval prior to the transfer of control over the NRC licensed program in 1991. Your staff provided sufficient information for us to determine that issuing a citation for the apparent failure is not warranted. In addition, the inspection report indicated that your staff will

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perform exposure evaluations to ensure that your employees have not received radiation exposures in excess of regulatory limits. Your staff indicated that they will provide the NRC the results of the exposure evaluations within 30 days of the date of this letter, as part of your response to this letter. Based on the above, we believe that escalated enforcement action is not warranted at this time. However, please note that continued noncompliance with an NRC regulatory requirement may lead to escalated enforcement actions. Such actions include civil penalties, orders, or suspension or revocation of your license.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and any reply will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact us.

Sincerely,

(original signed by  
D. M. Collins)

Bruce S. Mallet, Director  
Division of Nuclear Materials Safety

Docket No. 030-31302  
License No. 52-25066-01

Enclosures:

1. Notice of Violation
2. List of Attendees

cc w/encls: Commonwealth of Puerto Rico

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J. Lieberman, OE

OE:EA (B. Summers) (2)

(\*) See next page for previous concurrences

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NAME	HBermudez	JPotter	BUryc	CEvans		
DATE	10 / / 96	10 / / 96	10 / / 96	10 / 11 / 96	10 / / 96	10 / / 96
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

San Juan Cement Company, Inc.

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Bruce S. Mallet, Director  
Division of Nuclear Materials Safety

Docket No. 030-31302  
License No. 52-25066-01

Enclosures:



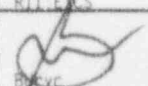
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cc w/encls: Commonwealth of Puerto Rico

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NAME	HBermudez	JPotter	B Mallet	CEvans		
DATE	10 / 10 / 96	10 / 10 / 96	10 / 10 / 96	10 / / 96	10 / / 96	10 / / 96
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

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