

APPENDIX A
NOTICE OF VIOLATION

Rio Algom Corporation

Docket No.: 40-8084
License No.: SUA-1119

During an NRC inspection conducted on May 20-22, 1985, violations of NRC requirements were identified. The violations involved the failure of the licensee to provide annual medical certification for respirator users or records of fit testing; failure to use the proper sampling results to compute exposures; failure to have written operating procedures for the maintenance of supplied air respirators in use; and failure to maintain DOE Records Form 742 of annual inventory of U-nat.

Based on the results of the inspection conducted on May 20-22, 1985 and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985), the violations are listed below.

A. License Condition No. 11 requires that the licensed material be used in accordance with statements, representations, and conditions contained in Sections 5.1.1, 5.1.3, 5.1.4, 5.2, 5.3, 5.4, 5.5.1, 5.5.2, 5.5.3, 5.5.4, 5.5.5, 5.5.9 and 6.5.1; and Appendices 5.5.2, 5.5.3.3, 5.5.5 of the licensee's renewal application dated December, 1982 as modified by supplement submitted by letter dated May 30, 1984 and supplements dated August and September, 1984.

1. Appendix 5.5.3.3 Sections V and VI require, in part, that employees who are required to use respiratory protection be fitted for a respirator using a series of qualitative fit tests (described on Page A.5.5.3.3-11) and receive annual medical certification of their ability to use a respirator.

Contrary to this requirement, on March 18, 1985, four individuals required to use respiratory protection during non-routine maintenance activities had not received medical certification of their ability to use a respirator, and the three individuals from the group assigned to use air supplied full face respirators did not have records of fit testing available for these respirators.

2. Section 5.5.3 "Exposure Calculations" requires, in part, that if the employee wears a breathing zone samplers on a given day, the breathing zone sample concentration be used instead of measurement from general air sampling for determining exposures.

Contrary to this requirement, since the license was renewed in September 1984, the licensee had used measurements from general air samples in exposure calculations for employees who had worn breathing zone samplers during routine work.

This is a Severity Level IV violation (Supplement VI).

- B. License Condition No. 33 requires, in part, that standard written operating procedures be established for all activities involving radioactive materials.

Contrary to this requirement, as of the date of the inspection, the licensee had not established written operating procedures pursuant to NUREG-0041, Section 9.8, for the maintenance of the supply of respirable air for the supplied air respirators in use.

This is a Severity Level IV violation (Supplement VI).

- C. 10 CFR 40.64(b) requires, in part, that each licensee who is authorized to possess at any one time and location more than 1000 kilograms of uranium submit an annual inventory to the Department of Energy within 30 days after September 30.

Contrary to this requirement, the licensee had not submitted the annual inventory for 1984.

This is a Severity Level V violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Rio Algom Corporation is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation:

- (1) the reason for the violations, if admitted;
- (2) the corrective steps which have been taken and the results achieved;
- (3) the corrective steps which will be taken to avoid further violations; and
- (4) the date when full compliance will be achieved.

Where good cause is shown, consideration will be given to extending the response time.

Dated at NRC, Region IV, Uranium Recovery Field Office this 27th day of June 1985.

/s/

Harry J. Pettengill, Chief
Licensing Branch 2
Uranium Recovery Field Office, Region IV