



November 22, 1996

Docket No. 70-0036
License No. SNM-33

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

SUBJECT: REPLY TO A NOTICE OF VIOLATION

Gentlemen:

Enclosed is Combustion Engineering's Reply to Notice of Violation dated October 31, 1996, concerning NRC Inspection Report No. 070-00036/96004(DNMS).

As addressed in our submittal of September 20, 1996 concerning our Criticality Safety Program Update (CSPU), we have a comprehensive plan in place to focus on the implementation of criticality limits and controls. We have a Criticality Specialist starting in January who has been tasked with direction of the CSPU. One of the major goals is to simplify administration of criticality limits and controls by making the process simpler, thus avoiding items of noncompliance of the type cited.

We will be glad to discuss any questions you have concerning our response. If you have any questions or need further information, please contact me or Mr. Hal Eskridge of my staff at (314) 937-4691.

Very truly yours,

COMBUSTION ENGINEERING, INC.

Robert W. Sharkey
Director, Regulatory Affairs

cc: Bill Beech, Regional Administrator
Region III

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November 22, 1996

**REPLY TO A NOTICE OF VIOLATION
INSPECTION REPORT NO. 070-00036/96004(DNMS)**

Response to Violation No. 96004-01

Violation:

Operating System (OS) Procedure 801.10, "Filter Processing," requires in Section 5.1.2. that 24" by 24" filters, stacked on pallets near the building 240-3 maintenance room, have no more than 2 kilograms (kgs) net weight or no more than 75 grams of U-235 per gamma count.

Contrary to the above, on September 24, 1996, two filters were stacked on pallets near the building 240-3 maintenance room with greater than 2 kgs net weight and 77.5 grams and 81.5 grams of U-235 per gamma count, respectively.

Response:

1. **Reason for the violation:** The violation occurred because the employee who stacked the filters did not observe limits as specified in the procedure and posted on the criticality limit sign.
2. **Corrective steps that have been taken and the results achieved:** As immediate corrective action, the two filters were removed from the stack to a proper criticality control spacing of one foot, and the area was roped off. This action brought the area into full compliance with the criticality safety requirements. Also, the criticality limit sign was relocated to improve its visibility, and the employee involved was counseled on the importance of observing criticality limit sign postings.
3. **Corrective steps taken to avoid future violations:** The importance of observing criticality limit sign postings was stressed in recently conducted criticality safety training. Additional emphasis has been placed in this functional area and described in our CSPU, dated September 20, 1996.
4. **When full compliance will be achieved:** We are currently in full compliance with the criticality safety limits for stacking filters.

Response to Violation No. 96004-02

Violation:

Nuclear Inspection System (NIS) Procedure 201, "Nuclear Safety Parameters," requires in Section 1.6, "Containers In Transit," that a Safe Individual Unit (SIU) must be placed at least one foot from other (SIU) units. Furthermore, Section 1.6 requires that no more than two SIUs may be "in transit" at one time in the immediate work area.

Contrary to the above, on September 25, 1996, one (55 gallon) drum of packaged filter media waste, an SIU, was placed less than one foot from another drum of packaged filter media waste, another SIU. In addition, three packaged filter media waste drums, three SIUs, were "in transit" at one time in the immediate work area.

Response:

1. **Reason for the violation:** The violation occurred because of not incorporating specific criticality requirements in the OS or SET procedure for the drum filling operation.
2. **Corrective steps that have been taken and the results achieved:** The filter work area was quarantined and processing of filters was stopped. The drums were moved to proper storage, which resulted in the area being brought into full compliance with the criticality safety requirements.
3. **Corrective steps taken to avoid future violations:** Revised procedures containing the criticality requirements will be issued prior to resuming the filter processing operation. Specific criticality safety training was given on application of the "two items in transit" rule to preclude a similar problem in other work areas.
4. **When full compliance will be achieved:** We are currently in full compliance on this item.