

February 28, 1997

CAL No. RIII-97-003

Mr. J. H. Miller
Vice President - Production
United States Enrichment Corporation
Two Democracy Center
6903 Rockledge Drive
Bethesda, MD 20817

SUBJECT: CONFIRMATORY ACTION LETTER - PADUCAH GASEOUS DIFFUSION PLANT

Dear Mr. Miller:

On February 18, 1997, during a review of the Nuclear Criticality Safety Approval (NCSA) for the Building C-400 cylinder wash operation, the Paducah Gaseous Diffusion Plant (PGDP) staff identified that a double-contingency control was not properly implemented. The NCSA required independent verification of the uranium enrichment for cylinder fillings back to the last cylinder hydrostatic test date. This control was intended to ensure that none of the cylinder heel material, at the time of washing, could potentially be enriched to one weight percent or greater in uranium-235.

Event Report Number 31810, submitted to the NRC for this incident, indicated that 22 cylinders had been washed without independent verification of the complete cylinder fill history. As a result of this loss of a required NCSA control, USEC stopped all cylinder wash operations, maintaining safe conditions.

Event Report Number 31834, reported that subsequent PGDP staff review of other NCSAs identified another weakness in an administrative control for the Building 400 spray booth. Non-rigorous implementation of this control would likely result in the verification of the uranium enrichment for equipment to be decontaminated in the booth not meeting the double contingency requirement. USEC also suspended operation of this activity.

Effective 12:01 a.m., March 3, 1997, and pursuant to a telephone conversation between Steve Polston, Plant General Manager and Gary Shear of my staff, on February 28, 1997, it is our understanding that USEC has taken or shall immediately undertake the following actions:

- 1) Complete a review of all PGDP NCSAs which rely upon administrative controls and identify any other scenarios which could have only one contingency or which rely upon controls which can be readily bypassed without management's knowledge;

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- 2) Evaluate the root cause of the events, as well as the causes for any additional control problems identified during your review, and revise the associated NCSAs, as needed, to prevent recurrence and to fully ensure the double-contingency principle is met. This action shall be completed prior to reinitiating operations under the associated NCSAs;
- 3) Revise procedures and conduct training necessary to implement the new nuclear criticality safety (NCS) controls prior to reinitiating cylinder washing or spray booth operations;
- 4) Perform an outside review of the NCS program focused on assessment of the independence and effectiveness of controls and their implementation prior to March 17, 1997; and
- 5) Prior to the restart of the cylinder wash and spray booth operations you will notify the PGDP Senior Resident Inspector.

Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to:

- 1) Notify me immediately if your understanding differs from that set forth above;
- 2) Notify me if for any reason you cannot complete the actions within the specified schedule and advise me in writing of your modified schedule in advance of the change; and
- 3) Notify me in writing when you have completed the actions addressed in this Confirmatory Action Letter.

Issuance of this Confirmatory Action Letter does not preclude issuance of an order formalizing the above commitments or requiring other actions on the part of the certificate holder; nor does it preclude the NRC from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter. In addition, failure to take the actions addressed in this Confirmatory Action Letter may result in enforcement action.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and your response will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide

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the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

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

Sincerely,

Original Signed by

A. Bill Beach
Regional Administrator, RIII

Docket No. 70-7001
Certificate No. GDP-1

cc: J. Volpe, Kentucky
Radiation Control Program
S. Polston, Paducah GDP
R. DeVault, DOE/ORNL

bcc: K. O'Brien, Paducah
L. Callan, EDO
M. Horn, NMSS
R. Pierson, NMSS
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Office of Enforcement
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