

DMB

JAN 16 1986

Docket No. 70-36

Combustion Engineering, Inc.
ATTN: Mr. H. V. Lichtenberger
Vice President
Manufacturing
Nuclear Power Systems
Windsor, CT 06095

Gentlemen:

This refers to your letter dated November 19, 1985, addressing the violations which we brought to your attention in Inspection Report No. 70-36/85002 forwarded by our letter dated October 18, 1985.

Your response to all but one of the violations identified in the inspection report dated October 18, 1985, are adequate and we will examine these matters during a subsequent inspection. However, your response to item 4 is unsatisfactory. Our comments concerning Violation No. 4 are enclosed as an attachment to this letter. You are requested to submit to this office within ten days of the receipt of this letter your response to our comments.

Sincerely,

Jack A. Hind
Jack A. Hind, Director
Division of Radiation Safety
and Safeguards

Enclosure As stated

cc w/Enclosure:
J. A. Rode, Plant Manager
DCS/RSB (RIDS)

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ENCLOSURE

Combustion Engineering, Inc.
Hematite Plant

Docket No. 70-36

We have reviewed your response addressing the violations identified in Inspection Report No. 73-36/85002. These comments address certain inadequacies in your response.

Violation No. 4:

10 CFR 70.57(b)(4) requires verification of the validity of existing mixing and sampling procedures through the use of process and engineering tests. This requirement refers to sampling procedures rather than random sampling error estimates. Furthermore, the intent of License Condition 4.11 is to allow the exemption regarding the nonperformance of process and engineering tests for UF6 sampling procedures referred to in Section 4.3 of the FNMCP. Therefore, License Condition 4.11 does not exempt the licensee from the requirement of determining random errors using current data as stated in 10 CFR 70.57(b)(8) and (9). The licensee must develop a system of control measurements to provide current data for the determination of random error behavior . . . program data generated during the current material balance period shall be used for the determination of the limit of error of the plant material balance.

The above position was discussed with your licensing reviewer on December 3, 1985, and he concurred with the above findings.

It is therefore concluded that a violation of 10 CFR 70.57(b)(8) and (9) did occur and that corrective action must be taken.