

May 7, 1997

Larry D. Jackson
Plant Manager
E.I. duPont DeNemours & Co., Inc.
Printing and Publishing
Cheesequake Road
Plarin, NJ 08859-1094

SUBJECT: INSPECTION NO. 030-05271/97-001

Dear Mr. Jackson:

This letter refers to your March 27, 1997 correspondence, in response to our February 27, 1997 letter.

Violations A and B as described in the Notice of Violation dated February 27, 1997 remain as stated. Violation C has been rescinded based on the additional information that your provided.

In regard to violation A, the NRC determined that you elected to have the manufacturer modify the gauging device so that it can be operated in either the automatic or manual mode. The NRC recognizes that you designed and installed a lead shielded enclosure as a redundant safety measure, however, you elected to administer your radiation safety program in accordance with the statements, representations and procedures contained in an application dated February 14, 1979. In your application, you took no credit or made mention of the lead enclosure. In addition, your operating procedure does not describe a manual mode of operation and requires that the Radiation Safety Office (RSO) shut down unsafe and/or malfunctioning equipment. Clearly the device was malfunctioning and had the potential to be unsafe without the implementation of compensatory measures. Finally, the inspector noted during the inspection that your RSO was unaware that the gauge could be operated in the manual mode and had the vendor summoned.

In regard to violation B, the NRC contends that for similar reasons as stated above, that the device did fail to function as designed. The device was modified to operate in the automatic mode and malfunctioned. Specifically, the vendor stated dirt had apparently caused the shutter mechanism to fail.

You are required to respond to this letter and should follow the instructions specified in the Notice. Also in your response to this letter, please explain your decision not to notify the NRC in accordance with 10 CFR 30.5(b)(2)(i) of a gauge shutter failure and to then continuously operate the device from May 10, 1996 to January 27, 1997.

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Your cooperation with us is appreciated.

Sincerely,

ORIGINAL SIGNED BY:

Jenny M. Johansen, Chief
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

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