

April 15, 1997

Mr. Ambrose Schwallie, []
Westinghouse Savannah River Company
Building 703-A, P.O. Box 616
Road 1
Aiken, SC 29802

Subject: Noncompliance Numbers NTS-SR--WSRC-SLDHSD-1996-0001
NTS-SR--WSRC-ESH-1996-0002
NTS-SR--WSRC-WVIT-1995-0001

Dear Mr. Schwallie:

On February 11, 1997, the Office of Enforcement and Investigation (EH-10) met with members of your staff and the DOE Savannah River Operations Office (DOE-SR) to review your progress in correcting the noncompliances identified in the subject Noncompliance Tracking System (NTS) reports. A summary of our meeting and assessment of the information provided is enclosed with this letter.

Your evaluation of the events and conditions leading to each of the occurrences, reported to EH-10 in the subject NTS reports, has identified that noncompliances with nuclear safety requirements have likely occurred. Based upon our review of information provided by the DOE-SR and Westinghouse Savannah River Company (WSRC) staff, we have concluded that potentially significant violations of the Quality Assurance, Work Processes requirements have occurred and have contributed to each of the occurrences identified above.

DOE has broad discretion under 10 CFR 820 and the Enforcement Policy (Appendix A) to evaluate the actions of a contractor concerning violations of nuclear safety requirements and to mitigate potential enforcement actions if warranted. In response to each of these occurrences, you performed a review of the programmatic controls and potential impact on other similar facilities or work. Normally it is our policy not to give credit for self identification where reporting of the occurrence to DOE is required as part of your normal responsibility. In this case, we believe your broader review of potential programmatic weaknesses and the identification of potential similar problems at other facilities, was proactive and merits mitigation for self reporting.

The primary reason for our meeting with DOE-SR and WSRC staff on

February 11, 1997, was to fully understand your corrective action plan and to assess your progress in implementing that plan. After reviewing your reports and the independent reviews performed by DOE-SR, we had concerns that your corrective actions may not have fully addressed all of the causes in your assessments; may not have provided adequate assurance that the corrective actions fully addressed the identified problems after they were implemented; and in one case were not being implemented in a timely manner. EH-10 concluded, after discussing these concerns with your staff and reviewing the additional information provided in our meeting, that your corrective action plans were reasonable and the identified schedule adjustment was warranted.

Based upon our review of your actions to self identify and report these potential noncompliances and your proactive corrective action, EH-10 has concluded that no further enforcement action is warranted at this time and has coordinated this decision with DOE-SR.

Our decision not to pursue further enforcement action at this time, however, should not be construed that this office is diminishing the significance of these noncompliances or lessening our concern that these noncompliances be corrected. Our determination to defer subsequent enforcement actions is contingent upon your successful completion of remaining open corrective actions identified to correct and prevent recurrence of these noncompliant conditions. DOE-SR and EH-10 will continue to monitor your implementation progress to ensure the corrective actions have been effective before closing these NTS issues.

Should you have any questions concerning this letter or our review of these NTS reports, please contact Ms. Susan Adamovitz of my staff or myself at 301-903-0100.

Sincerely,

R. Keith Christopher
Director
Office of Enforcement and Investigation

Enclosures:

Review of Open Noncompliance Tracking System Cases
(WSRC Meeting Summary)

Investigation Summary Report NTS-SR--WSRC-SLDHZZ-1996-0001

Investigation Summary Report NTS-SR--WSRC-ESH-1996-0002

cc: T. O'Toole, EH-1
P. Brush, EH-1
A. Alm, EM-1
G. Podonsky, EH-2
O. Pearson, EH-3
S. Adamovitz, EH-10
M. Fiori, SR
R. Clendenning, SR
M. Dayani, SR
K. Thames, SR
L. Vaughan, EM-10
D. Thompson, DNFSB
J. Lieberman, NRC
Docket Clerk, EH-10

