

UNIVERSITY *of* MISSOURI

RESEARCH REACTOR CENTER

February 5, 2016

TO: Director, Office of International Programs, U.S. Nuclear Regulatory Commission

FROM: Missouri University Research Reactor (MURR)

REFERENCE: License Number PXB143.01

SUBJECT: Reply to a Notice of Violation (EA-15-220)

On January 19th the Missouri University Research Reactor (MURR) received a notice of violation (NOV) for failing to notify the NRC in advance of an export shipment as required by 10 CFR 110.50(c)(4). MURR has chosen to dispute the violation for the following reason: a typographical error was made in the notification document submitted to the NRC and in actuality the export shipment was made greater than 24 hours after the notification was sent. See the below additional information for further explanation.

Basis for disputing the violation

On August 3, 2015 MURR notified the Nuclear Regulatory Commission (NRC) of intent to export a Category 2 quantity of iridium-192 to Belgium (MURR ID Number: 108044) with a shipment date of August 3, 2015. The shipment date within the notification was entered in error as "03-Aug-2015" and should have read "05-Aug-2015." The actual shipment date was and was always intended to be August 5, 2015. Attachment 1, MURR Order Form, shows Order Number 108044 with a requested ship date of August 5, 2015. The Shipper's Declaration and Bill of Lading, Attachment 2, shows MURR Reference Number 108044 with an actual shipment date of August 5, 2015.

Upon receipt of the notification on August 3, 2015, the NRC Office of International programs contacted MURR via email message to question the stated date of shipment (See Attachment 3). Unfortunately the MURR contact person listed on the notification was unavailable to check the email account for several weeks and the actual date of shipment, August 5, 2015, was not verified with the NRC until September 1, 2015.

The evidence supplied here confirms a shipment date of August 5, 2015, about 48 hours after the notification was sent to the NRC. Once made aware of the incorrect date in the shipment notification, MURR did supply the NRC with the correct information.



*MURR
2-12-16*

Corrective steps that have been taken and the results achieved

While MURR disputes the NOV as issued, we do recognize that an important typographical error was made in the notification document submitted to the NRC. A similar clerical error was made in an export document December 3, 2015 which was identified prior to submission of the notification documents to the NRC and shipment. As a result of these events a formal root cause analysis was performed and corrective actions were implemented aimed at preventing a recurrence of these types of errors.

The root cause of the event was determined to be a latent programmatic weakness around an inadequate independent verification process for reviewing notifications prior to being sent. At the time of occurrence the process for making notifications relied on a single individual resulting in a single human error point of failure. The corrective actions implemented after the December 3, 2015 event are the following with their current statuses:

No.	Description	Status	Status Date
1	Develop a formal procedure for workers to use when making notifications.	Complete	12/18/15
2	Implement an independent verification and a peer review of the notifications made prior to shipment.	Complete	12/18/15
3	Retrain the staff on the notification process and on the use of the notification procedure.	Complete	12/18/15

With the implementation of an independent verification and a peer review of the notification prior to shipment MURR feels the above corrective actions will prevent future clerical errors in the notification process. The corrective actions listed above were in effect December 18, 2015 and to-date no other errors have been identified in the notification process.

Additional corrective steps that will be taken

A Corrective Action Program report was also generated specific to receipt of this NOV and has also identified the following additional corrective actions to-date:

No.	Description	Status
1	Notify staff of the notice of violation	Complete
2	Enhance initial training for future new employees to include this event and coaching on the critical nature of the notification process.	In-progress

Date that full compliance will be or was achieved

With regard to the August 5, 2015 export shipment, MURR was never non-compliant with the regulation requiring notification 24 hours in advance a shipment. With regard to the typographical error in the notification document, the attached email exchange dated September 1, 2015 documents that the correction was communicated to the NRC.

Sincerely,



Ralph A. Butler
Executive Director
University of Missouri
Research Reactor Center

Cc: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission
MURR Document Control