

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT
WASHINGTON, D.C. 20555

March 25, 1987

IE INFORMATION NOTICE NO. 87-15: COMPLIANCE WITH THE POSTING REQUIREMENTS
OF SUBSECTION 223b OF THE ATOMIC ENERGY
ACT OF 1954, AS AMENDED

Addressees:

All nuclear power reactor facilities holding a construction permit and all firms supplying components or services to such facilities.

Purpose:

This notice is provided to call attention to the posting requirements of Subsection 223b of the Atomic Energy Act of 1954, as amended (Act).


Description of Circumstances:

Reports by NRC resident inspectors suggest that the provisions of Subsection 223b may not have been prominently posted at some reactor construction sites, contrary to the specific requirement of the Act.

Discussion:

Public Law No. 96-295 adds subsection b to Section 223 of the Atomic Energy Act. This subsection extended the criminal penalty provisions of the Act to any director, officer, or employee of a firm constructing or supplying the components of a utilization facility required to be licensed under Section 103 or 104b of the Act who by act or omission knowingly and willfully violates or causes to be violated any section of the Act, or any NRC regulation or order issued thereunder, or license condition that results or could result in significant impairment of a facility's basic component. Subsection 223b, among other things, also provides that the provisions of the subsection shall be prominently posted at each site where a utilization facility required to be licensed under Section 103 or 104b of the Act is under construction and on the premises of each plant where components for such a facility are fabricated. This posting requirement took effect on June 30, 1980.

No specific written response is required by this information notice. If you have any questions about this matter, please contact the Regional Administrator of the appropriate NRC regional office or this office.


Edward L. Jordan, Director
Division of Emergency Preparedness
and Engineering Response
Office of Inspection and Enforcement

Technical Contact: A. Bill Beach, IE
(301) 492-4909

See next page for attachments

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Attachments:

1. Reprint of Subsection 223b of the Atomic Energy Act of 1954, as amended
2. List of Recently Issued IE Information Notices

Attachment 2
IN 87-16
March 28, 1987

LIST OF RECENTLY ISSUED
IE INFORMATION NOTICES

INFORMATION Notice No.	Subject	Date of Issue	Issued to
87-14	Actuation of Fire Sup- pression System Causing Inoperability of Safety- Related Ventilation Equipment	2/23/87	All power reactor facilities holding an OL or CP
86-106 Sup. 2	Feedwater Line Break	3/18/87	All power reactor facilities holding an OL or CP
87-13	Potential for High Radiation Fields Following Loss of Water from Fuel Pool	2/24/87	All power reactor facilities holding an OL or CP except Fort St. Vrain.
86-106 Sup. 1	Feedwater Line Break	2/13/87	All power reactor facilities holding an OL or CP
87-12	Potential Problems With Metal Clad Circuit Breakers, General Electric Type AKF-2-25	2/13/87	All power reactor facilities holding an OL or CP
87-11	Enclosure of Vital Equipment Within Designated Vital Areas	2/13/87	All power reactor facilities holding an OL or CP
87-10	Potential for Water Hammer During Restart of Residual Heat Removal Pumps	2/13/87	All BWR facilities holding an OL or CP
87-09	Emergency Diesel Generator Room Cooling Design Deficiency	2/5/87	All power reactor facilities holding an OL or CP
87-08	Degraded Motor Leads in Limitorque CO Motor Operators	2/4/87	All power reactor facilities holding an OL or CP
87-07	Quality Control of Onsite Dewatering/Solidification Operations by Outside Contractors	2/3/87	All power reactor facilities holding an OL or CP

OL = Operating License
CP = Construction Permit

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**SUBSECTION 223b OF THE ATOMIC ENERGY
ACT OF 1954, AS AMENDED**

Any individual director, officer, or employee of a firm constructing, or supplying the components of any utilization facility required to be licensed under Section 103 or 104 b. of this Act who by act or omission, in connection with such construction or supply, knowingly and willfully violates or causes to be violated, any section of this Act, any rule, regulation, or order issued thereunder, or any license condition, which violation results, or if undetected could have resulted, in a significant impairment of a basic component of such a facility shall, upon conviction, be subject to a fine of not more than \$25,000 for each day of violation, or to imprisonment not to exceed two years, or both. If the conviction is for a violation committed after a first conviction under this subsection, punishment shall be a fine of not more than \$50,000 per day of violation, or imprisonment for not more than two years, or both. For the purposes of this subsection, the term 'basic component' means a facility structure, system, component or part thereof necessary to assure--

- (1) the integrity of the reactor coolant pressure boundary,
- (2) the capability to shut-down the facility and maintain it in a safe shut-down condition, or
- (3) the capability to prevent or mitigate the consequences of accidents which could result in an unplanned offsite release of quantities of fission products in excess of the limits established by the Commission.

The provisions of this subsection shall be prominently posted at each site where a utilization facility required to be licensed under Section 103 or 104 b. of this Act is under construction and on the premises of each plant where components for such a facility are fabricated.