

October 19, 2015  
EN-15-029

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Texas A&M University EA-14-230  
Texas A&M Engineering Experiment Station  
Nuclear Science Center  
College Station, TX

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL  
PENALTY - \$3,500

This is to inform the Commission that a Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$3,500 will be issued on or about October 22, 2015, to Texas A&M University, Engineering Experiment Station, Nuclear Science Center (NSC), (licensee) for two violations collectively characterized as a Severity Level III problem. The violations involved the failure to comply with the required procedures for securing the reactor console in accordance with NSC technical specifications, and willfully falsifying procedurally-required paperwork. In addition, Texas A&M NSC staff failed to meet the minimum facility staffing requirements on May 14–15, 2013. This non-willful violation occurred during the time the reactor was not secured. Additionally, a Severity Level III Notice of Violation will be issued to a former NSC manager for an associated violation of the NRC's deliberate misconduct rule, 10 CFR 50.5.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$3,500 was considered for the Severity Level III problem because the first violation involved willfulness. The licensee was given the opportunity to respond to the apparent violations: (1) in writing, (2) by requesting a PEC, or (3) requesting to participate in an ADR mediation session. The licensee provided a written response.

The NRC considered whether credit was warranted for Identification and Corrective Action in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. Credit for identification was not warranted because the violation was identified by the NRC during an inspection following the event. However, credit for corrective action was warranted. The licensee's corrective actions included: (1) restoring the proper emphasis on the purpose of checkoffs, checklists, and procedures by establishing checkoffs and checklists that are completed when actions are undertaken and internally audited at the end of every operating day; (2) reviewing the audit documents at the beginning of the next operating day to verify conformance; (3) conducting a re-audit of reactor operations logbooks when each logbook is complete (approximately quarterly); (4) investigating and documenting deviations by a memo and attaching the memo to the original document that explains the deviation and its effect of the deviation; (5) bringing deviations to the attention of management, outside of the operations department, in a timely manner; and (6) sharing information about the deviations and the results of deviation investigations with the Texas A&M NSC staff in a timely manner.

CONTACTS: Robert Fretz, OE/EB  
301-415-1980

Nick Hilton, OE/EB  
301-415-2741

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	October 22, 2015
Telephone Notification of Licensee	October 22, 2015

The State of Texas will be notified.

DISTRIBUTION: EN-15-029, October 19, 2015

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<b>DATE</b>	10/19/2015	10/19/2015

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