

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
Oconee

Docket Nos. 50-269, 50-270, 50-287
License Nos. DPR-38, DPR-47, DPR-55

During an NRC inspection conducted on March 1-5, 1993, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

- A. 10 CFR 20.1902(e) requires posting areas or rooms in which licensed material is used or stored. The licensee shall post each area or room in which there is used or stored an amount of licensed material exceeding 10 times the quantity of material specified in Appendix C to 10 CFR 20.1001-20.2401 with a conspicuous sign bearing the radiation symbol and the words "Caution, Radioactive Material," or "Danger, Radioactive Material."

Technical Specification (TS) 6.4.1 requires that the station be operated and maintained in accordance with approved procedures.

Radiation Protection Section Manual, Section 4.2, Posting of Radiologically Controlled Areas (RCAs) and Materials, dated January 1, 1993, requires in step 3.2.4.1 that all Radiologically Controlled Zones (RCZs) outside of the RCA where radioactive materials are located/stored be posted as a Radioactive Material Area.

Oconee Radiation Protection Procedure HP/O/B/1000/07, Procedure for Roping Off, Barricading, Posting and Controlling Radiation Protection Control Zones, Revision 23, dated January 1, 1993, requires in step 4.1.6 that a contaminated area be established when removable contamination levels exceed 1,000 disintegrations per minute per 100 centimeters square (1,000 dpm/100 cm²) beta-gamma or 20 dpm/100 cm² alpha in any area.

Contrary to the above, during tours of the Auxiliary and Radwaste Buildings on March 2-4, 1993, the inspector noted a contaminated radioactive vacuum cleaner located in the non-radiological controlled area of the Radwaste Building that the licensee failed to post as a radioactive materials area, and also, a contaminated area with removable contamination greater than 1,000 dpm/100 cm² beta-gamma in the Health Physics Laboratory of the Auxiliary Building that was not posted or established as a contaminated area.

This is a repeat Severity Level IV violation (Supplement IV).

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- B. 10.CFR 20.1904(a) requires the licensee to ensure that each container of licensed material bears a durable, clearly visible label bearing the radiation symbol and the words, "Caution, Radioactive Material," or "Danger, Radioactive Material." The label must also provide sufficient information (such as radionuclides present, and estimate of the quantity of radioactivity, the kinds of materials, and mass enrichment) to permit individuals handling or using the containers or working in the vicinity of the containers, to take precautions to avoid or minimize exposures.

TS 6.4.1 requires that the station be operated and maintained in accordance with approved procedures.

Radiation Protection Section Manual, Section 5.1, Movement of Radioactive Materials Within Controlled Area, dated January 1, 1993, step 3.1.2.1, requires that all radioactive materials (except tools from the hot tool crib or satellite storage containers and hand held items) within a RCA shall be: 1) surveyed; 2) containerized as appropriate for contamination control; and 3) labeled per reference 2.4 (Posting of RCAs and Materials) or attended by an individual who takes precautions to prevent exposure of any individual to radiation or radioactive materials in excess of limits established by 10 CFR Part 20 until the material is either stored per step 3.1.5, or placed into a RCZ for maintenance, testing, etc. per reference 2.4, or properly disposed of.

Contrary to the above, the licensee failed to label an air sampler reading 100,000 counts per minute (cpm), three stanchions reading 10,000 dpm, a bucket reading 10,000 dpm, and an electrical extension cord reading 35,000 dpm, as radioactive material. The items were located in the RCA of the Auxiliary Building.

This is a repeat Severity Level IV violation (Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, Duke Power Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or Demand for