

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Power Plant, Unit 1

Docket No. 50-220
License No. DPR-63
EA 85-72

On May 6 and 7, 1985, an inspection was conducted by a representative of the South Carolina Department of Health and Environmental Control (SCDHEC) of a shipment of licensed material sent to the Chem-Nuclear Systems, Inc., burial site at Barnwell, South Carolina from the Nine Mile Point Nuclear Power Plant, Unit 1 in Scriba, New York, on or about May 4, 1985. During the inspection, a violation of NRC requirements was identified.

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Action," 10 CFR Part 2, Appendix C (1985), the violation is set forth below:

10 CFR 71.87(i)(2) requires that the non-fixed radioactive contamination on packages transported as exclusive use shipments not exceed 22,000 dpm/100 cm² for beta-gamma emitting radionuclides at any time during transport.

Contrary to the above, on May 6, 1985, an exclusive use waste shipment of byproduct material in package Model No. 14-215-H5 (Certificate of Compliance No. 9176), containing approximately 2.6 curies of solidified waste, was transferred to Chem-Nuclear Systems, Inc., at Barnwell, South Carolina, with non-fixed beta-gamma radioactive contamination of 40,000 dpm/100 cm². Additional surveys performed by a representative of the SCDHEC on May 7 indicated non-fixed beta-gamma radioactive contamination levels of approximately 65,000 dpm/100 cm² and 150,000 dpm/100 cm², respectively, in two locations on the external surface of the cask.

This is a Severity Level III violation (Supplement V).

Pursuant to the provisions of 10 CFR 2.201, the Niagara Mohawk Power Corporation is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.

Dated at King of Prussia, Pennsylvania
this day of July 1985

OFFICIAL RECORD COPY

CP PKG NINE MILE 2 - 0004.0.0
07/02/85

8507190399 850702
PDR ADOCK 05000220
Q PDR

