

## NOTICE OF VIOLATION

Rochester Gas and Electric Corporation  
Ginna Station

Docket No. 50-244  
License No. DPR-18

During an inspection conducted on April 9-26, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

1. 10 CFR 50.59 states that, a licensee may make changes in the procedures as described in the safety analysis report, without prior Commission approval, unless the proposed change involves...an unreviewed safety question.

Contrary to the above, On August 22, 1994, the licensee made a change in the procedure described in the Updated Final Safety Analysis Report (UFSAR) Section 12.3.3.2, without prior Commission approval. This change was based on a determination that there were no unreviewed safety questions. The determination that there were no unreviewed safety questions was based on an inadequate design review.

Specifically, Section 12.3.3.2 of the UFSAR was changed in December 1994, reducing the in-plant air monitors in the Auxiliary Building from three to one. The basis for the UFSAR change was the result of an inadequate air flow design analysis in May 1994 that incorrectly concluded that plant area radiation monitors and the plant vent monitor provided adequate airborne radioactivity monitoring for plant personnel.

This is a Severity Level IV violation (Supplement I)

2. 10 CFR 20.1501 states that the licensee shall make or cause to be made, surveys that-- (1) may be necessary for the licensee to comply with the regulations in this part; and (2) are reasonable under the circumstances to evaluate concentrations or quantities of radioactive material. 10 CFR 20.1802 states that the licensee shall control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.

Contrary to the above, on March 29, 1996, equipment was surveyed by the licensee and determined to be free of licensed material and released. The equipment arrived at another nuclear power plant on March 30, 1996, was surveyed, and was determined to contain up to 35,000 disintegrations per minute (dpm) per 15 square centimeters of licensed material.

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

Pursuant to the provisions of 10 CFR 2.201, Rochester Gas and Electric Corporation 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 I, 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

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of Violation (Notice). This reply should be clearly marked as "Reply to a Notice of Violation" and should include: (1) the reason for the violations, or, if contested, the basis for disputing the violations; (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 may be issued to show cause why the license should not be modified, suspended, or revoked, or why such action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, Pennsylvania  
this 6th day of June, 1996

