

ENCLOSURE 1

NOTICE OF VIOLATION

Carolina Power and Light Company  
Shearon Harris

Docket No. 50-400  
License No. NPF-63

During the Nuclear Regulatory Commission (NRC) inspection conducted on August 6-10, 1990, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1990), the violation is listed below:

10 CFR 20.207(a) requires that licensed materials stored in an unrestricted area be secured against unauthorized removal from the place of storage. 10 CFR 20.207(b) requires that materials not in storage be under constant surveillance and immediate control of the licensee. As defined in 10 CFR 20.3(a)(17), an unrestricted area is any area access to which is not controlled by the licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

Contrary to the above, on August 9-10, 1990, licensed material consisting of contaminated fuel racks and highly contaminated decontamination equipment with radiation levels of 60-80 milliroentgens per hour on the surface of the storage container located in an unrestricted area consisting of an unsecure, open warehouse located outside of the protected areas was not secured against unauthorized removal and was not under constant surveillance and immediate control of the licensee.

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

Pursuant to the provisions of 10 CFR 2.201, Carolina Power and Light Company is hereby required to submit a written statement or explanation to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector, within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time. If an adequate reply is not received within the



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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 other action as may be proper should not be taken.

FOR THE NUCLEAR REGULATORY COMMISSION.

*Douglas M. Collins*

Douglas M. Collins, Chief  
Emergency Preparedness and  
Radiological Protection Branch  
Division of Radiation Safety  
and Safeguards

Dated at Atlanta, Georgia  
this *11* day of *September* 1990