

ENCLOSURE 1

NOTICE OF VIOLATION

Tennessee Valley Authority
Browns Ferry

Docket Nos. 50-259,260,296
License Nos. DPR-33,52,68

During the Nuclear Regulatory Commission (NRC) inspection conducted on September 8-12, 1986, a violation of NRC requirements was identified. The violation involved two examples of noncompliance with transportation regulations: failure to require an authorized person to sign a radioactive material shipping manifest and failure to perform internal contamination surveys of a shipping container classified as Department of Transportation (DOT) "empty." In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1986), the violation is listed below:

10 CFR 71.5(a) requires that each licensee, who transports licensed material outside the confines of its plant or other place of use, shall comply with the applicable requirements of the Department of Transportation (DOT) regulations in 49 CFR Parts 170 through 189.

49 CFR 172.204(a) requires each licensee to certify that the material to be transported is properly classified, described, packaged, marked, labeled and in proper condition for transportation according to the applicable regulations of the DOT. 49 CFR 172.204(d) requires that the certification be legibly signed by a principal, officer, partner or employee of the shipper.

49 CFR 173.427(c) states that a package, which previously contained radioactive material and has been emptied, is excepted from certain requirements provided that the internal contamination of the package does not exceed 100 times the limits in 49 CFR 173.443(a).

Contrary to the above, the licensee failed to comply with the applicable requirements of the DOT for offsite radioactive material shipments in that:

1. On August 20, 1986, an individual other than an authorized employee of the shipper signed the shipping manifest certification statement for Shipment Number S56-9570.
2. On August 20, 1986, the licensee failed to perform contamination surveys on the inside surfaces of an empty wooden box within Shipment Number S56-9570 to demonstrate that the internal contamination levels met the limits for an empty container.

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

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Pursuant to the provisions of 10 CFR 2.201, Tennessee Valley Authority is hereby required to submit to this Office within 30 days of the date of the letter transmitting this Notice a written statement or explanation in reply including: (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.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by
Roger D. Walker /for

J. Nelson Grace
Regional Administrator

Dated at Atlanta, Georgia
this 22 day of October 1986

