

ENCLOSURE 1

NOTICE OF VIOLATION

Public Service Electric and Gas Company  
Salem Nuclear Generating Station Unit 1

Docket No. 50-272  
License No. DPR-70  
EA 99-035

During an NRC investigation conducted by the NRC Office of Investigations (OI) between March 3, 1998 and January 19, 1999, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 50.9 requires, in part, that information required by the Commission's regulations to be maintained by the licensee shall be complete and accurate in all material respects.

Salem Unit 1 Technical Specification (TS) 6.8.1.a requires that written procedures be implemented covering activities referenced in Regulatory Guide 1.33, Revision 2, February 1978. Appendix A of Regulatory Guide 1.33 specifies, in Section 7.a(3), written procedures for discharging liquid radioactive waste to effluents. Appendix A of Regulatory Guide 1.33 also specifies, in Section 1.h, written procedures for record retention.

Salem Operations procedure S1.OP-SO.WL-0001(Q), Revision 9, "Release of Radioactive Liquid Waste From 11 CVCS Monitor Tank" requires that two independent verifications of radioactive liquid release rate calculations are to be completed and that the release records are retained in accordance with nuclear procedure NC.NA-AP.ZZ-0003(Q). Salem Unit 1 TS 4.11.1.1.2 requires the results of radioactivity analyses to be used in accordance with the Offsite Dose Calculation Manual (ODCM) to assure concentrations at the point of release are maintained within TS limits.

Contrary to the above, on January 3, 1998 and February 23, 1998, release rate calculations to support the release of liquid waste were changed by a chemistry supervisor, and

1. the conservatism factor, specified in the procedure and the ODCM to account for non-gamma emitting radio nuclides, was omitted for the release rate calculations for two releases on January 3, 1998, and an intended release on February 23, 1998; and
2. the Release and Approval record for the intended release on February 23, 1998, was not accurate in all material respects in that it indicated that there were two independent verifications of the Radioactive Liquid Release Rate calculations, when, in fact, not all independent verifications had been done. The records were material because they provide verification that the release would not exceed Technical Specification limits. (01014)

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

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The NRC has concluded that the information regarding the reasons for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed in the letter transmitting this NOV. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to contest this enforcement action, clearly mark your response as a "Reply to a Notice of Violation," and send it 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 of Violation (Notice).

If you choose to contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, D.C. 20555-0001.

If you choose to respond, your response will be placed in the NRC Public Document Room (PDR). Therefore, 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.

Dated at King of Prussia, PA  
this 30<sup>th</sup> day of April 1999

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region I (RI), on March 3, 1998, to determine if a Public Service Electric and Gas (PSE&G) Chemistry Supervisor at the Salem Generating Station, made false statements regarding technical specification (tech spec) requirements for the release of a Chemical Volume Control System (CVCS) Monitor Tank.

Based on the evidence developed during the investigation, OI concludes that there is insufficient evidence to substantiate that a Chemistry Supervisor knowingly and deliberately made false statements regarding tech spec requirements in regards to the line out and pen and ink changes which he made to Chemistry Procedure SC.CH-TI.ZZ-0140-1. However, testimonial and documentary evidence developed leads OI to the conclusion that a Chemistry Supervisor, on February 23, 1998, knowingly and deliberately falsified Sections 2.1.2.A and 2.1.3 of the Operations Procedure S1.OP-SO.WL-0001 (Q) Rev. 9 indicating that two independent verifications of Radioactive Liquid Release Rate calculations and all Chemistry requirements for the release had been completed and authorizing release, when he knew that they had not been completed.