

ENCLOSURE 1

NOTICE OF VIOLATION

Virginia Electric and Power Company
Surry Power Station

Docket Nos. 50-280, 50-281
License Nos. DPR-32, DPR-37

During an NRC inspection conducted on August 27-30, 1991, 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 (1991), the violation is listed below:

10 CFR 71.5(a) requires a licensee who transports any licensed material outside the confines of his plant or other place of use, or delivers any licensed material for transport, to comply with the applicable requirements of the Department of Transportation regulations presented in 49 CFR Parts 170 through 189 insofar as such regulations relate to the material, marking and labeling of the packages, loading and storage of packages, placarding of the transportation vehicle, monitoring requirements, accident reporting, and shipping papers.

49 CFR 172.200, Subpart C - Shipping Papers, requires that each person who offers a hazardous material for transportation shall describe the hazardous material on the shipping paper in the manner required by the subpart.

49 CFR 172.203(d) requires the description for a shipment of radioactive material to include...(ii) A description of the physical and chemical form.

VEPCO Operational Quality Assurance Program Topical Report - VEP 1-5A describes the licensee's commitments to various Regulatory Guides including Regulatory Guide 1.33, Quality Assurance Requirements (Operation), Revision 2, February 1978.

Regulatory Guide 1.33, Appendix A, 1978, requires written procedures for control of radioactivity (for limiting materials released to the environment and limiting personnel exposure).

Contrary to the above, on August 26, 1991, the licensee failed to have procedures that would ensure that the physical and chemical form of radioactivity present in radioactive material shipment SH-1991-53 was properly determined and specified on the radioactive material shipping papers, as required by 49 CFR 172.203(d), in that, on that date, the licensee delivered a reactor coolant pump motor to a carrier having an estimated 5 to 10 gallons of liquid and specifying the physical and chemical form of the material as solid/oxides when the physical form was a mixture of solids and liquids.

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


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2

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Pursuant to the provisions of 10 CFR 2.201, Virginia Electric and Power Company 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 II, and if applicable, a copy to the NRC Resident Inspector, within 30 days of the date of the letter transmitting this Notice of Violation. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (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 other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

FOR THE NUCLEAR REGULATORY COMMISSION


J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Dated at Atlanta, Georgia
this 23 day of Sept 1991