

APPENDIX ANOTICE OF VIOLATION

Vermont Yankee Nuclear Power Corporation

Docket No. 50-271

This refers to the February 21, 1980 inspection conducted by representatives of the Region I (Philadelphia) office at the Vermont Yankee Nuclear Power Station in Vernon, Vermont, of activities authorized by NRC License No. DPR-28. This inspection was for the purpose of investigating the circumstances surrounding a February 7, 1980 shipment of radioactive waste by Vermont Yankee Nuclear Power Corporation which was inspected by NRC on February 14, 1980, upon its arrival at the Richland, Washington waste burial facility.

During these inspections, the following apparent item of noncompliance was identified.

10 CFR 71.5(a), "Transportation of licensed material," requires that NRC licensees comply with the applicable packaging and transportation requirements of the U. S. Department of Transportation in 49 CFR Parts 170-189.

49 CFR 173.393(i) requires that all radioactive materials must be packaged in suitable packaging (shielded, if necessary) so that at any time during normal conditions incident to transportation, the radiation dose rate does not exceed 200 millirem per hour at any point on the external surface of the package.

Contrary to the above, on February 7, 1980, the licensee, as consignor, delivered a package of low specific activity (LSA) radioactive material to a carrier for transport with a radiation dose rate exceeding 200 millirem per hour, as evidenced by a measured level of 300 millirem per hour from an underneath external surface of the vehicle upon its arrival at the Richland, Washington, waste burial site on February 14, 1980.

This is a Severity Level II Violation. (Civil Penalty \$4,000)

This Notice of Violation is sent to Vermont Yankee Nuclear Power Corporation pursuant to the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Vermont Yankee Nuclear Power Corporation is hereby required to submit to this office within twenty-five (25) days of the date of this notice, a written statement or explanation in reply, including for each item of noncompliance: (1) admission or denial of the alleged item of noncompliance; (2) the reasons for the item of noncompliance if admitted; (3) the corrective steps which have been taken and the results achieved; (4) corrective steps which will be taken to avoid further items of noncompliance; and (5) the date when full compliance will be achieved.