

APPENDIX A

NOTICE OF VIOLATION

Carolina Power and Light Company  
Brunswick

Docket Nos: 50-324  
50-325  
EA-80-41

Based on the NRC inspection conducted on April 26 to May 16, 1980, certain of your activities apparently were not conducted in full compliance with NRC requirements as indicated below.

- A. 10 CFR 20.301 prohibits a licensee from disposing of licensed material except as authorized by 10 CFR Parts 20, 30, 40, and 70. In addition, 10 CFR 20.201 requires that surveys be made as may be necessary to comply with 10 CFR Part 20.

Contrary to the above, on at least 16 separate occasions during the period from mid-1978 through April 1980, licensed material (in the form of contaminated equipment) was disposed of without authorization. In addition, surveys conducted for the purpose of detecting and identifying items radioactively contaminated with licensed material were inadequate, thereby contributing to the unauthorized disposal of licensed material. These 16 occasions consisted of the following disposals: at least 13 times during mid-1978 through April 1980, to the Brunswick County sanitary landfill; once during April 1980, to the North Carolina Salvage Company in Goldsboro; once during May 1979, to the Horton Iron and Metal Company; and, once prior to May 1980, to the Merrit Holland Company in Wilmington, North Carolina.

Each of these 16 occasions (inadequate surveys and resulting unauthorized disposals) constitutes a separate infraction and a civil penalty of \$4,000 is proposed for each. (Cumulative civil penalty - \$64,000).

- B. BSEP Technical Specification (T.S.) 6.8.1.a requires that written procedures be established, implemented, and maintained covering the activities and procedures recommended in Appendix A of Regulatory Guide 1.33, November 1972. This Regulatory Guide requires radiation protection procedures for control of radioactive materials to prevent release to the environment and minimize personnel exposure.
1. Licensee procedure BSEP Vol. VIII, RPM, paragraph 6.2.2, requires that equipment to be unconditionally released from the "Radiation Control Area" to the "clean area" have less than 200 dpm/100cm<sup>2</sup> loose surface contamination and less than 0.25 mR/hr fixed contamination measured at one inch from the surface of the item. The "clean area" is defined as any area within the "Controlled Access Area" in which contamination levels are less than those specified above. The "Radiation Control Area" is defined as any area to which access is controlled for the purpose of limiting radiation exposure or preventing the spread of contamination.

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Contrary to the above, on April 29, 1980, this procedure was not implemented in that criteria used by contract workers would have permitted the release of items to the clean area with levels of loose surface contamination in excess of the above limits.

2. BSEP Vol. VIII, RPM, paragraph 6.6.6, requires personnel leaving the Radiation Control Area to monitor themselves for contamination.

Contrary to the above, on April 27, 1980, two workers exiting the reactor building 50' elevation near the torus access (a Radiation Control Area) failed to monitor themselves for contamination at the monitor station provided.

3. BSEP Vol. VIII, RPM, paragraph 10.1.1, requires personnel to be assisted by the Radiation Control and Test Group (RC&T) in cases of skin contamination.

Contrary to the above, on April 29, 1980, three non-RC&T individuals at the personnel decontamination station were engaged in decontamination of their skin. The workers failed to notify RC&T to gain assistance although a call button was provided for workers' use.

4. RC&T Procedure 0110, paragraph 8.5, requires personnel to use portal monitors.

Contrary to the above, on April 29, 1980, an individual bypassed the portal monitor at the construction exit from the restricted area.

5. RC&T Procedure 0211, paragraph 3, requires protective clothing to be removed in such a way as to minimize the spread of contamination. Paragraph 8 of the same procedure requires that gloves and coveralls be removed in such a way that only the inside surfaces are touched with the hands.

Contrary to the above, on April 27, 1980, workers were observed touching potentially contaminated outside surfaces of coveralls and gloves with their hands as they undressed at the Unit 2 torus check-point.

6. RC&T Procedure 0110, paragraph 8.3.3, requires the instrument probe to be moved slowly when performing a whole body frisk.

Contrary to the above, on April 27, 1980, at the frisker station on the 50' elevation exit from the reactor building, workers surveying themselves at this station moved the instrument probe over their bodies so quickly that low levels of contamination would not be detected.

7. RC&T Procedure 0302, paragraph 2.1.1 requires the portal monitor alarm setpoint to be approximately 0.1 mR/hr.

Contrary to the above, on April 26, 1980, a portal monitor located at the main control point failed to alarm at 0.2 mR/hr.

8. BSEP Vol. VIII, paragraph 6.5.4 requires protective clothing radiation levels be less than 0.5 mR/hr above background at one inch before issue to personnel for use.

Contrary to the above, on May 1, 1980, dose rates of 1.0 and 2.4 mR/hr (above background) at one inch were measured on coveralls ready for issue.

Each of these 8 items constitutes a separate infraction and a civil penalty of \$4,000 is proposed for each. (Cumulative civil penalty - \$32,000)

- C. 10 CFR 20.203(b) requires areas with whole body exposure rates in excess of 5.0 mR/hr to be posted as a "Radiation Area."

Contrary to the above, on April 30, 1980, the laundry shipping preparation area in which the dose rate to a worker was measured to be 25.0 mR/hr, was not posted as a "Radiation Area."

This is an infraction (Civil Penalty - \$4,000.00).

- D. 10 CFR 20.103(a)(3) requires that airborne radioactive material surveys be taken in restricted areas to evaluate workers' exposure to radioactive materials in air.
  - (1) Contrary to the above, on April 24, 1980, airborne surveys were not conducted at the cleanup area on the reactor water cleanup system building roof (a restricted area) when work was underway which could cause high levels of airborne contamination.
  - (2) Contrary to the above, on April 30, 1980, airborne surveys were not conducted in the Health Physics Systems laundry trailer facility (a restricted area) when the potential for high levels of airborne contamination existed due to the work in progress.

Each of these 2 items constitutes a separate infraction and a civil penalty of \$4,000 is proposed for each. (Cumulative civil penalty - \$8,000)

Although the total civil penalties amount to \$108,000, pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 USC 2282), the total civil penalties for any thirty-day period cannot exceed \$25,000. Consequently, civil penalties in the amount of \$89,000 are proposed for the above.

This Notice of Violation is sent to Carolina Power and Light Company pursuant to the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. You are hereby required to submit to this office, within twenty-five days of the date of this letter, 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 by you and the results achieved; (4) the corrective steps which will be taken to avoid further noncompliance; and (5) the date when compliance will be achieved.