

APPENDIX A

NOTICE OF VIOLATION

Power Authority of the State of New York

Docket No. 50-333

Based upon the results of an NRC inspection conducted on March 11-14, 1980 it appears that one of your activities was not conducted in full compliance with NRC regulations as indicated below. This item is an infraction.

10 CFR 20.104(c), "Exposure of individuals to concentrations of radioactive materials in air in restricted area" requires in part that: When respiratory protective equipment is used to limit the inhalation of airborne radioactive material pursuant to paragraph (b)(2) of this section, the licensee may make allowance for such use in estimating exposure of individuals to such materials provided that such equipment is used as stipulated in Regulatory Guide 8.15, "Acceptable Programs for Respiratory Protection."

1. Section C.1 of Regulatory Guide 8.15 states in part, "A written policy statement on respirator usage is to be issued from a high management level. Subjects to be covered by the policy statement include the use of practicable engineering controls instead of respirators, routine, nonroutine, and emergency situations ..."

Contrary to the above, as of March 11, 1980 allowance was being made for use of respiratory protective equipment and no written policy statement on respirator usage had been issued from a high management level.

2. Section C.8 of Regulatory Guide 8.15 states in part, "As a minimum, the following additional technical items are to be observed: a. Respirable air of approved quality and quantity is to be provided and oxygen deficiency is to be avoided ..."

Contrary to the above, as of March 11, 1980 allowance was being made for use of respiratory protection equipment and the licensee failed to determine that breathing air of approved quality, quantity and air not deficient in oxygen was being provided workers using the facility breathing air system.