

APPENDIX A

NOTICE OF VIOLATION

Public Service Company of New Hampshire  
Construction Permit Nos. CPPR-135  
CPPR-136

Docket Nos. 50-443  
50-444

Based on the results of an NRC inspection conducted on May 5-7, 1980, it appears that certain of your activities were not conducted in full compliance with the conditions of NRC Facility Construction Permit Nos. CPPR-135 and CPPR-136, as identified below. Item A is categorized as an Infraction. Items B and C are categorized as Deficiencies.

- A. Section 3.E.(8) of Construction Permit Nos. CPPR-135 and CPPR-136 requires that, "A control program shall be established by the applicants to provide for a periodic review of all construction activities to assure that those activities conform to the environmental conditions as set forth in these permits".

Section 3.E.(7) of Construction Permit Nos. CPPR-135 and CPPR-136 requires that, "The applicants shall take the necessary mitigating actions, including those summarized in Section 4.5 of the Final Environmental Statement (FES) during construction of the Station... to avoid unnecessary adverse environmental impacts from construction activities".

Commitment No. 13 of Section 4.5.1 of the FES requires that "Plans will be developed for measures to be used in mitigating undesirable effects construction. These measures will include erosion control, dust stabilization landscape restoration, traffic control, restoration of animal habitat, and preservation of archeologically valuable artifacts".

Contrary to these requirements the licensee's environmental surveillance program, established pursuant to Section 3.E.(8) of the Construction Permits, was not adequate to assure that certain construction activities conformed to the environmental conditions as set forth in the above Construction Permits. Specifically, the following site conditions which existed on May 5-7, 1980 and were not identified by the environmental surveillance program, were in noncomformance with commitments made in Section 4.5.1 of the ETS.

- (1) Haybales, used to control turbidity of run-off water at the site perimeter, were not maintained in an effective condition.
- (2) Waste concrete had been improperly disposed of at one location.
- (3) Erosion was not controlled on the slopes of the "South 40" area.
- (4) Temporary settling basins were not of sufficient capacity nor adequately maintained so as to effectively control turbidity and suspended solids of the effluents.

- B. Section 3.E.7 of Construction Permit Nos. CPPR-135 and CPPR-136 requires that, "The applicants shall take the necessary mitigating actions, including those summarized in Section 4.5 of the FES, during construction of the Station... to avoid unnecessary adverse environmental impacts from construction activities".

Commitment No. 4 of Section 4.5.1 of the FES requires that, "Settling basins will be utilized to control the turbidity of effluents from dewatering processes carried out during construction".

Contrary to these requirements settling basins as used were not of sufficient capacity nor adequately maintained to effectively control the turbidity of effluents from dewatering processes carried out during construction, as shown by silt and sediment deposits from the basin effluents outside the basins on May 5, 6, and 7, 1980.

- C. Section 3.E.(7) of Construction Permit Nos. CPPR-135 and CPPR-136 requires that, "The applicants shall take the necessary mitigating actions, including those summarized in Section 4.5 of the FES, during construction of the Station... to avoid unnecessary adverse environmental impacts from construction activities".

Commitment No. 14 of Section 4.5.1 of the FES requires that the turbidity of waters discharged from holding basins be limited to 25 JTU unless and until acceptable levels have been established.

Contrary to these requirements the discharge from the permanent settling basin exceeded 25 JTU on numerous occasions including January 8, August 20, October 1, 1979 and March 3, 10. April 19 and 21, 1980.