

APPENDIX A

NOTICE OF VIOLATION

Duquesne Light Company
Post Office Box 4
Shippingport, Pennsylvania 15077

Docket Nos. 50-334, 50-412
License Nos. DPR-66, NPF-73

As a result of the inspection conducted at the U. S. Nuclear Regulatory Commission Region I office on January 29, 1990, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violation was identified.

10 CFR 71.5 states in part that "...each licensee who transports licensed material outside the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, shall comply with the applicable requirements of the regulations appropriate to the mode of transport of DOT in 49 CFR Parts 170 through 189...". 49 CFR 173.425(b) states in part that "...packaged shipments of LSA material consigned as exclusive use shall...comply with the following...materials must be packaged in strong, tight packages so that there will be no leakage of radioactive material under conditions normally incident to transportation..."

Contrary to the above, the licensee shipped a SeaVan containing contaminated scaffolding as exclusive use, Radioactive Materials, Low Specific Activity, to the Quadrex Recycle Center, Oak Ridge, Tennessee, on January 10, 1990, which upon receipt, was discovered to have two holes in its sides. These holes were created during transit due to load shifting within the SeaVan.

This is a Severity Level IV Violation (Supplement V).

Pursuant to the provisions of 10 CFR 2.201, Duquesne Light Company is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) the corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.

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