

APPENDIX A

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation
Syracuse, New York 13202

Docket No. 50-220
License No. DPR-63

As a result of the inspection conducted on April 28 - May 1, 1981, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations were identified:

- A. 10 CFR 71.51(a) states: The licensee shall establish, maintain and execute a Quality Assurance Program satisfying each of the applicable criteria specified in Appendix E to this part, ... Appendix E, Criterion 18, Audits, states: "A comprehensive systems of planned and periodic audits shall be carried out to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program. The audits shall be performed in accordance with the written procedures or checklist by appropriately trained personnel not having direct responsibility in the areas being audits. Audit results shall be documented and reviewed by management having responsibility in the area audited. Followup action, including re-audit of deficient areas, shall be taken where indicated."
1. Contrary to the above, the four audits conducted of the radioactive waste management program in 1979 (audits 79-026A, 79-026B, 79-026C, and 79-035) did not verify compliance with all aspects of the quality assurance program, in that, personnel training requirements were not audited.
 2. Contrary to the above, audit 79-026A identified three deficient areas in the radioactive waste management program, but no re-audits of the deficient areas were made between 9/27/79 and 5/1/81.

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

- B. 10 CFR Part 20.205(d) states, "Each licensee shall establish and maintain procedures for safely opening packages in which licensed material is received, and shall assure that such procedures are followed and that due consideration is given to special instructions for the type of package being opened."

Contrary to the above, the licensee failed to establish and maintain procedures for the receipt, surveying and safe opening of packages containing radioactive material.

OFFICIAL RECORD COPY

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

Pursuant to the provisions of 10 CFR 2.201, Niagara Mohawk Power Corporation is hereby required to submit to this office within thirty days of the date of this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Under the authority of Section 182 of the Atomic Energy Act of 1954, as amended, this response shall be submitted under oath or affirmation. Where good cause is shown, consideration will be given to extending your response time.

The responses directed by this Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Dated _____

OCT 22 1981

Original Signed By: _____

Eldon J. Brunner, Chief, Projects
Branch #1, Division of Resident and
Project Inspection