

PUERTO RICO ELECTRIC POWER AUTHORITY

San Juan, Puerto Rico

Cable Address  
PREPA



G.P.O. Box 4267  
San Juan, Puerto Rico 00936

April 5, 1990

Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20553

Re: Reply to a Notice of  
Violation NRC Inspection  
Report No. 52-19702  
01/90-01

Gentlemen:

We refer to your letter dated February 27, 1990 (received on March 7, 1990) with a notice of violation in relation to the inspection done by your agency to our Pollution Control Laboratory on February 5, 1990.

We are submitting a replying report which includes:

- (1) admission or denial of the violations,
- (2) the reason for the violation, if admitted,
- (3) the corrective steps which have been taken and the results achieved,
- (4) the corrective steps which will be taken to avoid further violations, and
- (5) the date when full compliance will be achieved.

Immediate action was taken to correct the violations and fully comply with the NRC regulations. At this moment, full compliance has been achieved.

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If you need any other information, please contact Mr. Ramón Calzada at telephone number (809) 722-0432.

Cordially,

*Orlando Angleró*  
Orlando Angleró  
Director, Planning and  
Environmental Protection

Enclosures

**PUERTO RICO ELECTRIC POWER AUTHORITY  
REPLY TO A NOTICE OF VIOLATION  
NRC INSPECTION REPORT NO. 52-19702-01/90-01**

- A. **License Condition 11 requires licensed material be used by, or under the supervision of, Ramón Calzada.**

Contrary to the above, based on statements by the licensee representative, Mr. Calzada does not work in the Pollution Control Lab and does not use or directly supervise the use of the licensed material.

**1. Admission or denial of the alleged violation -**

It is admitted that Mr. Ramón Calzada does not work and does not use or directly supervise the use of the licensed material at the Pollution Control Laboratory.

**2. The reasons for violation, if admitted -**

Mr. Calzada is the Environmental Programs Department's Supervisor. The Pollution Control Laboratory is supervised by Mr. Abraham Ortiz, who responds directly to Mr. Calzada's Department. Therefore, he is still related to the laboratory's operations. PREPA understands that at the renewal process of June, 1991 for the NRC referenced license, the name of the licensee should have been changed.

**3. The corrective steps which have been taken and the results achieved -**

PREPA hereby requests the modification of the referenced NRC license.

- a. Item No. 11 of the application is to be changed as follows: "Licensed material shall be used by, or under the supervision of, Abraham Ortiz and/or Mario Segarra. Résumés of Mr. Ortiz and Mr. Segarra are included. Please refer to Appendix A.

**4. The corrective steps which will be taken to avoid further violations -**

PREPA will immediately submit, whenever applicable, to NRC any change related to item No. 11.

**5. The date when full compliance will be achieved -**

Full compliance has been achieved.

- B. License Condition 14 requires the licensee to perform a physical inventory every six months to account for all sources and/or devices received and possessed under the license.

Contrary to the above, the licensee failed to perform a physical inventory as described above, since the last inspection conducted on August 31, 1982.

1. Admission or denial of the alleged violation -

Admitted.

2. The reason for the violation, if admitted -

The new supervisor did not know that a physical inventory had to be performed every six months.

3. The corrective steps which have been taken and the results achieved -

Written instructions were given to the laboratory's supervisors to perform the physical inventory every six months.

4. The corrective steps which will be taken to avoid further violations -

The physical inventory will be performed at the same date as the leak tests, which occur every six months.

5. The date when full compliance will be achieved -

Full compliance has been achieved. On March 19, 1990, the physical inventory was completed.

- C. License Condition 13.A. requires the licensee to test each source for leakage and/or contamination at intervals not to exceed six months.

Contrary to the above, the licensee failed to perform leak tests on Ni-63 sealed sources (S/N CO 772 and L2515) from July 1987 to October 1988, and from October 1988 to June 1989, and from June 1989 to February 5, 1990.

1. Admission or denial of the alleged violation -

It is admitted that PREPA failed to perform leak tests in a six month regular basis.



**2. The reason for the violation, if admitted -**

Lack of a proper follow up program. Nevertheless, the leak tests were done on an eight and nine month basis. The results show no contamination of the licensed material.

**3. The corrective steps which have been taken and the results achieved -**

Immediate action was taken to conduct the leakage test. Samples were taken and sent to Nimia E. Irizarry, Radiation Protection Office, at the Center for Energy and Environment Research, for the correspondent analyses.

**4. The corrective steps which will be taken to avoid further violations -**

Written instructions were given to the responsible personnel to timely perform the leak test at the six months interval.

A follow up program was implemented, so as to require the timely performance of the leak test.

An inspection will be made by the Environmental Programs Department Supervisor to assure that the leak tests have been performed at the required six month interval.

**5. The date when full compliance will be achieved -**

Full compliance has been achieved.

- D. 10 CFR 19.11 requires a licensee to post current copies of certain documents near or in a licensed activity location. These documents include 10 CFR 19, 10 CFR 20, the license complete with amendments, referenced documents, and operating procedures. If posting is not practicable, the licensee may post a notice that describes the documents and where they may be examined. The licensee is also required to post Form NRC-3, "Notice to Employees", to permit individuals who frequent any portion of a "restricted area" to observe the form.

Contrary to the above, at the time of inspection, the licensee had not posted 10 CFR 19 and 20 or the notice of where the documents might be examined.

**1. Admission or denial of the alleged violation -**

Admitted.

**2. The reason for the violation, if admitted -**

The responsible personnel did not know that the NRC regulations required the licensee to post current copies of certain documents near or in a licensed activity location.

**3. The corrective steps which have been taken and the results achieved -**

NRC-3 forms (english and spanish) and a notice to employees describing the documents and where they may be examined were posted at the licensed activity location. Instruction were given to the employees to study these documents, which included 10 CFR, Parts 19 and 20.

**4. The corrective steps which will be taken to avoid further violations -**

Inspections will be made on a regular basis to verify that the notices are always posted.

**5. The date when full compliance will be achieved -**

Full compliance has been achieved.

- E. License Condition 16 requires the licensee to conduct its program in accordance with the statements, representations and procedures contained in the application dated February 11, 1981, and letters dated June 1, 1981, and May 9, 1986. The letter dated May 1986 includes a drawing of the laboratory in which the licensed material will be used.**

Contrary to the above, the licensed material was not being used in the laboratory indicated by the drawings, but rather was being used in an adjacent laboratory.

**1. Admission or denial of the alleged violation -**

The violation is not admitted. A new instrument room was constructed at the Pollution Control Laboratory. The licensed material was moved to this new room, which is an expansion to the laboratory. A drawing indicating the new instrument room and other modifications is hereby submitted (please refer to Appendix B). The drawing demonstrates the previous and actual locations of the licensed material. PREPA understands that the licensed material has been in use at the same laboratory, but on another bench, in a new room.

**APPENDIX A**

March 1990

**RESUME**

NAME	:	Abraham Ortiz-Charriez
TITLE	:	Pollution Control Supervisor Pollution Control Laboratory Environmental Programs Dept. Puerto Rico Electric Power Authority
EDUCATION	:	B.A. Natural Sciences Major Chemistry M.S. Analytical Chemistry
EXPERIENCE	:	PREPA - Pollution Control Laboratory Supervisor 1987 to present  PREPA - Pollution Control Laboratory, Environmental Chemist 1985-87  PREPA - Combined Cycle Shift Chemist 1985  PREPA - Monacillos Chemist Supervisor 1984-85
SOCIETIES	:	Puerto Rico Chemists College American Chemical Society
LICENSE	:	Puerto Rico Chemist License No. 2314



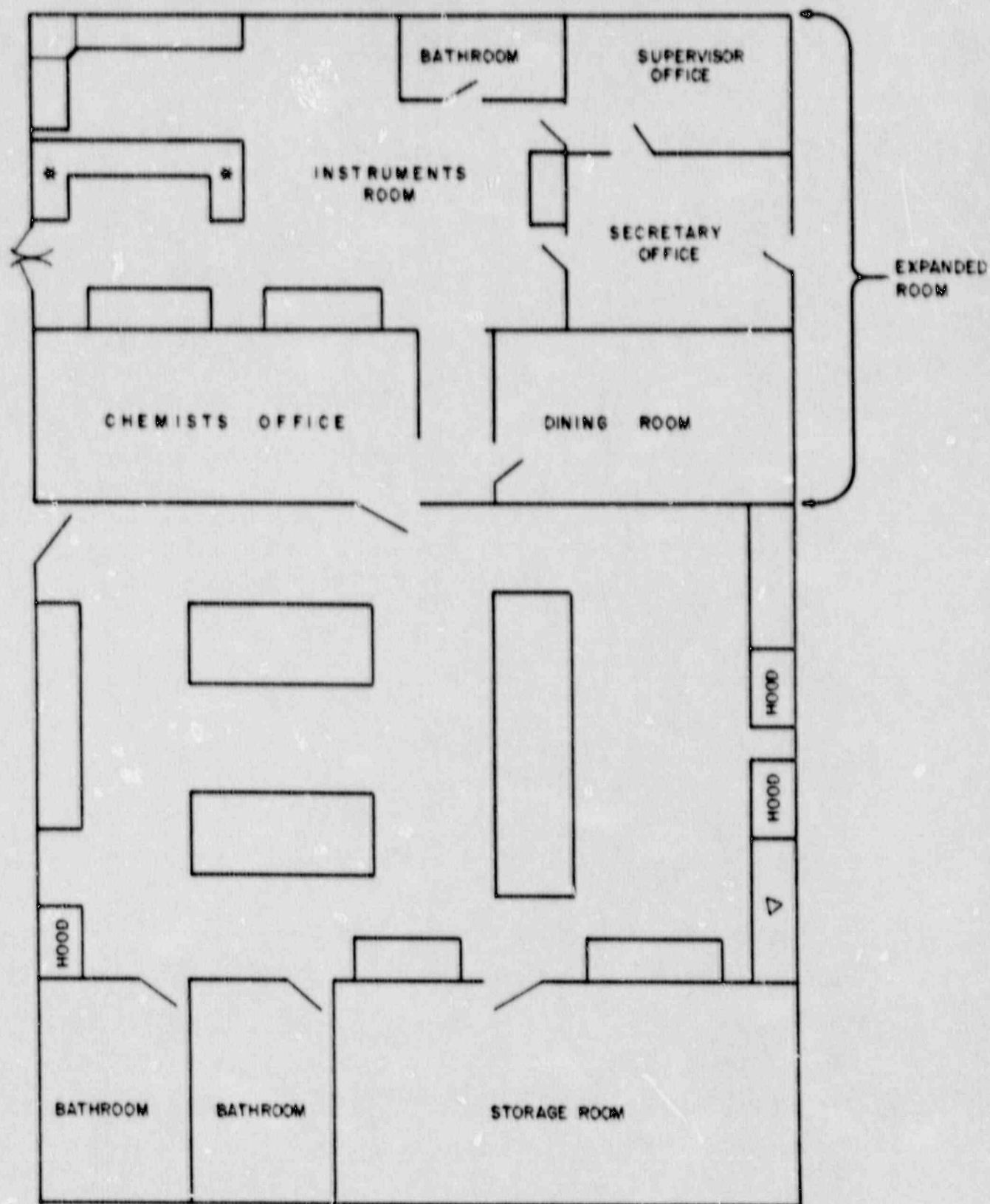
March 1990

# RESUME

NAME	:	Mario H. Segarra-Falcón
TITLE	:	Environmental Chemist Pollution Control Laboratory Environmental Programs Dept. Puerto Rico Electric Power Authority
EDUCATION	:	B.A. Natural Sciences Major Chemistry
EXPERIENCE	:	PREPA - Pollution Control Laboratory, Environmental Chemist 1988 to present  PREPA - Pollution Control Laboratory, Pollution Control Chemist 1975-1988  PREPA - Pollution Control Laboratory, Environmental Chemist 1974-1975
SOCIETIES	:	Puerto Rico Chemist College
LICENSE	:	Puerto Rico Chemist License No. 795

**APPENDIX B**

# PUERTO RICO ELECTRIC POWER AUTHORITY POLLUTION CONTROL LABORATORY



\* ACTUAL LOCATION OF LICENSED MATERIAL (NI-63)

△ PREVIOUS    "    "    "    "    "

MARCH, 1990