

APPENDIX A
NOTICE OF VIOLATION

University of Massachusetts - Lowell
Lowell, Massachusetts

Docket No. 50-223
License No. R-125

During an NRC inspection conducted on February 8-10, 1993, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1993), the violations are listed below:

- A. 10 CFR 50.54(p) states, in part, that the licensee shall maintain records of changes to the physical security plan made without prior Commission approval for a period of three years from the date of the change, and shall furnish to the Commission a report containing a description of each change within two months after the change is made.

By NRC letter dated May 8, 1990, the licensee was issued a Notice of Violation for failure to furnish to the Commission a report containing a description of numerous changes made to Revision 1 of the physical security plan, dated January 4, 1988, within two months after the change was made. The licensee's "Reply to Notice of Violation", dated June 5, 1990, committed that the changes made to the physical security plan would be submitted to the NRC within the next two weeks of June 1990.

Contrary to the above, on February 9, 1993, the inspector found that not only did the licensee fail to furnish to the Commission the Revision 1 physical security plan changes in June 1990 as committed in response to the violation, but also failed to furnish to the Commission the physical security plan changes made in Revision 2, dated October 3, 1990.

This is a Severity Level IV violation (Supplement III).

- B. The section titled "Operating Organization" of the licensee's NRC-approved physical security plan, states that "At least once each fourteen months, the Operator responsible for security will conduct a security program review. Results of this review will be submitted to the Reactor Radiation Safety Subcommittee."

Contrary to the above, on February 9, 1993, the inspector found that the licensee failed to conduct a security program review at least once each fourteen months. The last security program review was conducted on January 25, 1991.

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

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Pursuant to the provisions of 10 CFR 2.201, University of Massachusetts - Lowell, is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). The reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at King of Prussia, Pennsylvania
this 9th day of March 1993