

DEC 10 1981

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Docket No. 50-263
License No. DPR-22
EA 82-15

Northern States Power Company
ATTN: Mr. Dr. E. Gilberts
Senior Vice President
Power Supply
414 Nicollet Mall
Minneapolis, MN 55401



Gentlemen:

This refers to the inspection conducted by Mr. P. C. Lovendale of our Region III staff on November 4-6, 1981, of activities at the Monticello Nuclear Generating Plant, in Monticello, Minnesota, authorized by NRC Operating License No. DPR-22. The results of this inspection were discussed on November 24, 1981, during an enforcement conference in Chicago, Illinois, between Messrs. L. Eliason, W. Shamla, and F. Fey of Northern States Power Company and Mr. A. B. Davis and others of the NRC staff.

The inspection showed that a lapse in management controls resulted in the unauthorized removal of twenty-eight 55-gallon drums of LSA radioactive waste from the plant site. These drums remained overnight in an unrestricted area at a truck rental facility and resulted in radiation levels in an unrestricted area in excess of regulatory limits.

In order to emphasize the importance of proper management control of your radioactive material control program, we propose to impose civil penalties in the cumulative amount of Twenty Thousand Dollars for the violations set forth in the Appendix to this letter. The violations have been categorized at the levels described in accordance with the Interim Enforcement Policy published in the Federal Register, 45 FR 66754 (October 7, 1980). The base value for a Severity Level III event is \$40,000. However, after considering the limited public health and safety impact of this particular event and your identification and reporting of the event to the NRC, we are reducing the amount of the civil penalty to \$20,000.

You are required to respond to the Notice of Violation and in preparing your response you should follow the instructions in the Appendix. You should give particular attention to those actions designed to assure continuing compliance with NRC requirements. Your written reply to this letter, and the results of future inspections will be considered in determining whether further enforcement action is appropriate.

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Although this event had limited public health and safety impact, we are concerned that your management controls were not adequate to prevent the loss of control over this radioactive material and that adequate steps were not taken to expeditiously regain possession of the LSA radioactive waste once it was discovered missing and located at the truck rental facility.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Appendix 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.

Sincerely,

"Original Signed By
R. C. DeYoung"

Richard C. DeYoung, Director
Office of Inspection and Enforcement

Enclosure: Appendix, Notice
of Violation and Proposed
Imposition of Civil Penalties

cc w/encl:
W. A. Shamba, Plant Manager
DMB/Document Control Desk (RIDS)
Resident Inspector, RIII
John W. Ferman, Ph.D., Nuclear
Engineer, MPCA

<i>WAW</i>	<i>KLys</i>	<i>pt</i>	<i>[Signature]</i>
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