

APPENDIX A

NOTICE OF VIOLATION

University of Lowell
Lowell, Massachusetts 01854

Docket No. 70-738
License No. SNM-714

As a result of an inspection conducted on April 10-13, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1990), the following violations were identified:

- A. 10 CFR 70.51(d) requires the licensee to conduct physical inventories of all special nuclear material (SNM) in its possession under its license at intervals not to exceed twelve months.

Contrary to the above, on April 11, 1990, the inspector found that the licensee failed to conduct a physical inventory of all SNM in its possession under license, in that seven SNM bearing metal foils and one SNM bearing fission chamber had not been accounted for every twelve months, as required, between December 1985 and April 1990. (These items were received by the licensee during the months of January and February 1985.)

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

- B. License Condition 13.A(1) of License No. SNM-714, Amendment No. 08, dated August 12, 1988, states, in part, that each sealed source containing licensed material, other than Hydrogen 3, with a half-life greater than thirty days, and in any form other than gas, shall be tested for leakage and/or contamination at intervals not to exceed six months.

Contrary to the above, on April 12, 1990, the inspector found that the leak tests of six plutonium sources performed on April 14, 1987 had exceeded a period of six months from the previous leak tests (performed on July 30, 1986), and that the leak tests performed on March 25, 1988 had exceeded a period of six months from the previous leak tests (performed on July 14, 1987).

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

- C. 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.

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Contrary to the above, on April 11, 1990, the inspector found that the licensee had made numerous changes to Revision I of the physical security plan, dated January 4, 1988, but had not furnished to the Commission a report containing a description of each change within two months after the change was made.

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

- D. The section titled "Security Records" of the licensee's NRC-approved physical security plan states, in part, that the results of the physical inventory of locks, cores, keys and key cards shall be maintained at the facility for at least 24 months.

Contrary to the above, April 12, 1990, the inspector found that, with the exception of the key cards, the licensee could not provide the results of the physical inventory of locks, cores and keys for the previous 24 months.

This is a Severity Level V Violation (Supplement III)

Pursuant to the provisions of 10 CFR 2.201, University of Lowell 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) 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.