

APPENDIX A

Hittman Nuclear & Development  
Company, Inc.  
Docket No. 99900768/82-01

NOTICE OF VIOLATION

As a result of the inspection conducted on January 29, and February 16-18, 1982, and in accordance with the Section 206 of the Energy Reorganization Act of 1974 and its implementing regulation 10 CFR Part 21, the following violations were identified and have been categorized in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 47 FR 9987 (March 9, 1982):

- A. Section 21.21(a) of 10 CFR Part 21, dated December 18, 1981, states in part, "Each individual, corporation, partnership or other entity subject to the regulations in this part shall adopt appropriate procedures to (1) provide for (i) evaluation deviations or (ii) informing the licensee or purchaser of the deviation in order that the licensee or purchaser may cause the deviation to be evaluated . . . and (2) assure that a director or responsible officer is informed if the . . . basic component supplied . . . (i) Fails to comply . . . relating to a substantial safety hazard, or (ii) Contains a defect."

Contrary to the above, procedures had not been adopted to provide for: (1) evaluating deviations or informing the licensee or purchaser; and (2) assuring that a director or responsible officer was informed if the supplied basic component (a) failed to comply or (b) contained a defect.

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

- B. Section 21.51(b) of 10 CFR Part 21, dated December 18, 1981, states in part, "Each individual, corporation, partnership, or other entity subject to the regulations in this part shall prepare records in connection with the design, manufacture, fabrication, placement, erection, installation, modification, inspection, or testing of any facility, basic component supplied for any licensed facility or to be used in any licensed activity sufficient to assure compliance with regulations in this part. After delivery of the facility or component and prior to the destruction of the records relating to evaluations (see § 21.3(g) or notifications to the Commission (see § 21.21), such records shall be offered to the purchaser of the facility or component."

Contrary to the above, records were not prepared with respect to failures (in February through June 1981 testing) of Flextron Urethane 66-11 foam to meet the energy absorption characteristics described in the NRC approved Safety Analysis Report (page 71) for the HN-200 cask.

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