

FEB 04 1994

Docket No. 70-1113
License No. SNM-1097
EA 94-013

General Electric Company
ATTN: Mr. C. P. Kipp, General Manager
GE Nuclear Energy Production
Post Office Box 780
Wilmington, NC 28402

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NOS. 70-1113/93-12)

This refers to the inspection conducted by C. H. Bassett of this office on December 28-30, 1993. The inspection included a review of activities authorized for your General Electric Company - Nuclear Energy Production facility. The report documenting the inspection was sent to you by letter dated January 19, 1994. As a result of this inspection, violations of NRC requirements were identified. An enforcement conference was held on January 26, 1994, in the NRC Region II office to discuss the violations, their cause, and your corrective actions to preclude recurrence. This enforcement conference was open for public observation in accordance with the Commission's trial program for conducting open enforcement conferences as discussed in the Federal Register, 57 FR 30762, July 10, 1992. A summary of the enforcement conference was sent to you on February 3, 1994.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). Although this violation meets the criteria specified in Section VII.B of the NRC Enforcement Policy for consideration as a non-cited violation, it has been determined that the exercise of discretion in this instance is not warranted because of the significance of the circumstances and conditions that contributed to the violation. Specifically, that equipment was operated for several years without adequate nuclear criticality safety controls. In addition, we are concerned that corrective actions taken for your June 1989 internal audit, which identified inadequate nuclear criticality safety controls associated with the 4B press, were not implemented for the 7B and 3B presses as well.

The corrective actions which you took following discovery of the accumulation of material on December 21, 1993 were both prompt and extensive, and we support your action to commend the individual who first discovered and reported the accumulation.

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You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

ORIGINAL SIGNED BY
J. PHILLIP STOHR

J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Enclosure:
Notice of Violation

cc w/encl:
T. Preston Winslow, Manager
Licensing and Nuclear Materials
Management
General Electric Company
P. O. Box 780, Mail Code J26
Wilmington, NC 28402

Dayne H. Brown, Director
Division of Radiation Protection
N. C. Department of Environment,
Health & Natural Resources
P. O. Box 27687
Raleigh, NC 27611-7687

bcc w/encl: (See page 3)

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bcc w/ encl:

J. Lieberman, OE

B. Uryc

C. N. Smith, NMSS

R. Pierson, NMSS

D. M. Collins

G. Troup

C. Bassett

R. Bellamy, RI

R. Caniano, RIII

C. Cain, RIV

J. Reese, RV

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