

NOTICE OF VIOLATION

Mid-South Nuclear, Incorporated
Birmingham, Alabama

Docket No. 99901270
Report No. 94-01

During a NRC inspection conducted at Mid-South Nuclear, Inc. (MSN), January 25 through 28, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1993), the violation is listed below:

- A. Section 21.21, "Notification," of 10 CFR Part 21, requires, in part, that each individual, corporation, partnership, or other entity subject to the regulations in this part adopt appropriate procedures for evaluating deviations and failures to comply, or informing the licensee or purchaser of the deviation or failure to comply. Also, 10 CFR 21.21, requires that if an evaluation of a deviation or failure to comply cannot be completed within 60 days of discovery, an interim report must be prepared and submitted to the NRC.

Contrary to the above, MSN failed to adopt procedures to implement the substantive revisions to 10 CFR Part 21 that became effective on October 29, 1991. Major changes not incorporated in the MSN procedure include: establishment of a time limit for evaluating potential defects and failures to comply; establishment of a time limit for initial and follow up notifications of the NRC; and establishment of channels of communications with the NRC for initial and follow up notifications. (Violation 99901270/94-01-01)

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

Pursuant to the provisions of 10 CFR 2.201, MSN 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 Chief, Vendor Inspection Branch, Division of Reactor Inspection and Licensee Performance, Office of Nuclear Reactor Regulation, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This 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. Where good cause is shown, consideration will be given to extending the response time.

Dated at Rockville, Maryland
this 8th day of March 1994.