

APPENDIX A
NOTICE OF VIOLATION

Vermont Yankee Nuclear Power Corporation
Vermont Yankee Nuclear Power Station

Docket No. 50-271
License No. DPR-28

As a result of the inspection conducted on October 1 to 5, 1990, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violation was identified.

10 CFR 20.201 (b) specifies that each licensee shall make or cause to be made such surveys as (1) may be necessary for the licensee to comply with the regulations in this part, and (2) are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present.

10 CFR 20.301 specifies, in part, that no licensee shall dispose of licensed material except:

- (a) By transfer to an authorized recipient as provided in the regulations:
or
- (b) As authorized pursuant to 20.302 or Part 61 of this chapter; or
- (c) As provided in 20.303, 20.306 or 20.106.

Contrary to the above, on several occasions, including from February 1990 until October 1990, the licensee burned waste oil taken from controlled areas of the facility without adequately surveying the material to ensure that it did not contain licensed material. Specifically the licensee did not establish a lower limit of detection (LLD) comparable with the Technical Specification Environmental LLD.

This is a Severity Level IV Violation. (Supplement IV)

Pursuant to the provisions of 10 CFR 2.201, the Vermont Yankee Nuclear Power Corporation 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.

VERMONT YANKEE HEARING SERVICE LIST

Diane Curran, Esq.
Harmon, Curran & Tousley
2001 S Street, N.W., Suite 430
Washington, D.C. 20009

John Traficante, Esq.
Chief Safety Unit
Office of the Attorney General
One Ashburton Place, 19th Floor
Boston, Massachusetts 02108

Geoffrey M. Huntington, Esq.
Office of the Attorney General
Environmental Protection Bureau
State House Annex
25 Capitol Street
Concord, New Hampshire 03301-6397

Charles Bechhoefer, Esq.
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Gustave A. Linenberger, Jr.
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Vermont Public Interest Research
Group, Inc.
43 State Street
Montpelier, Vermont 05602

Raymond N. McCandless
Vermont Division of Occupational
and Radiological Health
Administration Building
Montpelier, Vermont 05602

R. K. Gad, III
Ropes & Gray
One International Place
Boston, Massachusetts 02110

Mr. J. Gary Weigand
President & Chief Executive Officer
Vermont Yankee Nuclear Power Corp.
RD 5, Box 169
Ferry Road
Brattleboro, Vermont 05301

Public Service Board
State of Vermont
120 State Street
Montpelier, Vermont 05602

James Volz, Esq.
Special Assistant Attorney General
Vermont Department of Public Service
120 State Street
Montpelier, Vermont 05602

G. Dana Bisbee, Esq.
Office of the Attorney General
Environmental Protection Bureau
State House Annex
25 Capitol Street
Concord, New Hampshire 03301-6397

Adjudicatory File (2)
Atomic Safety and Licensing Board
Panel Docket
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James H. Carpenter
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Chairman, Board of Selectmen
Town of Vernon
P.O. Box 116
Vernon, Vermont 05353-0116

Honorable John J. Easton
Attorney General
State of Vermont
109 State Street
Montpelier, Vermont 05602

Robert M. Lazo, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. James P. Pelletier
Vice President - Engineering
Vermont Yankee Nuclear Power Corp.
P.O. Box 169
Ferry Road
Brattleboro, Vermont 05301

VERMONT YANKEE HEARING SERVICE LIST

Mr. John DeVincentis, Vice President
Yankee Atomic Electric Company
580 Main Street
Bolton, Massachusetts 01740-1398

Jerry Harbour
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. W. P. Murphy
Senior Vice President, Operations
Vermont Yankee Nuclear Power Corp.
RD 5, Box 169
Ferry Road
Brattleboro, Vermont 05301

Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. George Sterzinger, Commissioner
Vermont Department of Public Service
120 State Street, 3rd Floor
Montpelier, Vermont 05602

Resident Inspector
Vermont Yankee Nuclear Power Station
U.S. Nuclear Regulatory Commission
P.O. Box 176
Vernon, Vermont 05354

Frederick J. Shon
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406