

APPENDIX A

NOTICE OF VIOLATION

Tennessee Valley Authority
Browns Ferry Nuclear Plants 1, 2, & 3

Docket Nos. 50-259, 50-260, & 50-296
License Nos. DPR-33, DPR-52 & DPR-68

As a result of the investigation conducted on August 25, 1982, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified.

- A. 10 CFR 71.5(a) requires a licensee, who transports any licensed material outside the confines of his plant or other place of use, or delivers any licensed material for transport, to comply with the applicable requirements of the Department of Transportation regulations presented in 49 CFR Parts 170 through 189 insofar as such regulations relate to matters which include the packaging of byproduct, source, or special nuclear material.

10 CFR 71.31(a) requires that the packaging of licensed materials shall be of such materials and construction that there will be no significant chemical reaction between the packaging component and the package contents. (Similar requirements in 49 CFR 173.24(c)(5) and 49 CFR 173.393(n)(1).)

Technical Specification 6.3.A.7 requires written procedures, including applicable checkoff lists be prepared, approved and adhered to covering Radiation Control Procedures. Radiation Control Instruction 5, Shipment of Radioactive Materials, Section V.F.2 requires each shipment of radioactive material to be accompanied by a completed and accurate Radioactive Material Shipment Record describing the proper physical and chemical form of the material being shipped, when the material is in normal form.

Contrary to the above, on August 17, 1982, the licensee shipped radioactive material of Low Specific Activity (LSA), TVA shipment No. 1862, to U.S. Ecology, Inc., Richland, Washington, for burial which failed to meet these requirements in that the licensee did not perform an adequate test or examination of the contents of one 55-gallon drum containing an estimated 1 to 2 liters of acidic solution, which later caused a breach of the container.

Also, the Radioactive Material Shipment Record required by procedure RCI-5, Section V.F.2, written in accordance with Technical Specification 6.3.A.7, did not accurately describe the proper physical and chemical form of the material being shipped.

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

- B. 10 CFR 71.5(a) requires a licensee who transports any licensed material outside the confines of his plant or other place of use, or delivers any licensed material for transport, to comply with the applicable requirements of the Department of Transportation regulations presented in 49 CFR Parts 170 through 189 insofar as such regulations relate to matters which include the packaging of byproduct, source or special nuclear material and the marking and labeling of the packages.

49 CFR 173.392(c)(8) requires that for packaged shipments of low specific activity materials, transported in vehicles other than aircraft assigned for the sole use of that assignment, must have the outside of each outside package stenciled or otherwise marked "Radioactive - LSA."

Contrary to the above, on July 20, 1982, the licensee delivered a shipment of radioactive material for transport, (TVA Shipment No. 1840), to U.S. Ecology, Inc., Richland, Washington, for burial without the proper markings (Radioactive LSA) on eight wooden containers, as required by 49 CFR 173.392(c)(8).

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

Pursuant to the provisions of 10 CFR 2.201, you are hereby required to submit to this office within thirty days of the date of this Notice, a written statement or explanation in reply, including: (1) admission or denial of the alleged violations; (2) the reasons for the violations if admitted; (3) the corrective steps which have been taken and the results achieved; (4) corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

Date: November 3, 1982