

NOV 9 1983

Docket No. 50-57

State University of New York at Buffalo
ATTN: Dr. D. W. Rennie
Vice President
Research and Graduate Studies
521 Capen Hall
Amherst, New York 14260

Gentlemen:

Subject: Inspection No. 50-57/83-03

This refers to the routine safety inspection conducted by Mr. W. W. Kinney of this office at your Nuclear Science and Technology Facility on September 13-16, 1983, of activities authorized by NRC License No. R-77 and to the discussions of our findings held by Mr. Kinney with Mr. L. G. Henry and other members of your staff at the conclusion of the inspection.

Areas examined during this inspection are described in the NRC Region I Inspection Report which is enclosed with this letter. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector.

Our inspector also verified the steps you have taken to correct the violations brought to your attention in the enclosure to our letter dated April 18, 1983. We have no further questions regarding the steps you took to correct items 2 and 3. With regard to Item 1, this item was not corrected. In your reply letter to this office dated May 10, 1983, you stated that the Nuclear Safety Committee met on February 25, 1983. During this inspection, the inspector found that the meeting held on February 25, 1983, was actually a meeting of the Radiation Safety Committee rather than a meeting of the Nuclear Safety Committee.

Based on the results of this inspection, it appears that certain of your activities were not conducted in full compliance with NRC requirements, as set forth in the Notice of Violation, enclosed herewith as Appendix A. These violations have been categorized by severity level in accordance with the NRC Enforcement policy (10 CFR 2, Appendix C) published in the Federal Register Notice (47 FR 9987) dated March 9, 1982. You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

Item I in the Notice of Violation enclosed with this letter is similar to the previously discussed uncorrected item regarding the Nuclear Safety Committee. The uncorrected violation pertained to the failure of the Committee to meet at the prescribed intervals. However, during this inspection the inspector found that this situation has deteriorated since the Nuclear Safety Committee now no longer exists. Item 2 in the Notice of Violation is concerned with a change made in the management organization which violates the Technical Specifications. Both of these violations raise concern regarding the lack of effective upper management attention toward administrative matters related to safety

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oversight at your facility. Consequently, in your reply, you should describe in particular, those actions taken or planned to improve the effectiveness of your management control system.

In accordance with 10 CFR 2.790(a), a copy of this letter and the enclosure will be placed in the NRC Public Document Room unless you notify this office, by telephone, within ten days of the date of this letter and submit written application to withhold information contained therein within thirty days of the date of this letter. Such application must be consistent with the requirements of 2.790(b)(1). The telephone notification of your intent to request withholding, or any request for an extension of the 10-day period which you believe necessary, should be made to the Supervisor, Files, Mail and Records, USNRC Region I, at (215) 337-5223.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Your cooperation with us in this matter is appreciated.

Sincerely,

Original Signed By:

Richard W. Starostecki, Director
Division of Project and Resident
Programs

Enclosures:

1. Appendix A, Notice of Violation
2. NRC Region I Inspection Report Number 50-57/83-03

cc w/encls:

Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
State of New York

L. G. Henry, Director
P. M. Orlosky, Operations Manager
Dr. A. K. Bruce, Radiation Safety Officer

bcc w/encls:

Region I Docket Room (w/concurrences)
Senior Operations Officer (w/o encls)

RI:DPRP
Kinney/pja
10/21/83

RI:DPRP
Elsasser
10/24/83

RI:DETP
Shanbaky
11/2/83

RI:DPRP
Greenman
11/3/83

RI:DPRP
Starostecki
11/9/83

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