

APPENDIX A

NOTICE OF VIOLATION

Nebraska Public Power District
Cooper Nuclear Station

Docket: 50-298/82-32
License: DPR-46

Based on the results of an NRC inspection conducted during the period of November 29, 1982, through December 3, 1982, and in accordance with NRC Enforcement Policy (10 CFR Part 2, Appendix C), 47 FR 9987, dated March 9, 1982, the following violations were identified.

1. 10 CFR Part 71.5(a), "Transportation of Licensed Material," requires that no licensed material shall be transported outside of the confines of his plant unless the requirements of the regulations appropriate to the mode of transportation of the Department of Transportation in 49 CFR Parts 170 through 189 are met. 49 CFR Part 173.393(j)(3) states that the radiation dose rate should not exceed 10 millirem per hour at any point 2 meters (6 feet) from the vertical planes projected by the outer lateral surface of the vehicle.

Contrary to the above, on June 25, 1982, a shipment of licensed material received at the Beatty, Nevada, low-level waste site was found by a state of Nevada inspector to have a radiation dose rate 6 feet from the side of a trailer in excess of 10 millirem per hour.

The NRC inspectors noted corrective action on this item during the inspection; therefore, no response is required.

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

2. 10 CFR Part 20.103(C)(2), "Exposure of Individuals to Concentrations of Radioactive Materials in Air in Restricted Areas," requires that a determination by a physician prior to the initial use of respirators, and at least every 12 months thereafter, that the individual user is physically able to use the respiratory protective equipment.

Contrary to this requirement, the NRC inspectors found that after an initial determination is made by a physician, the health physics department makes the 12-month determination that an individual user is physically able to use respiratory protective equipment.

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

Pursuant to the provisions of 10 CFR 2.201, Nebraska Public Power District is hereby required to submit to this office, within 30 days of the date of this Notice, a written statement or explanation in reply, including:

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- (1) the corrective steps which have been taken and the results achieved;
- (2) the corrective steps which will be taken to avoid further violations; and
- (3) the date when full compliance will be achieved.

Consideration may be given to extending your response time for good cause shown.

Dated: MAR 07 1983