

NOTICE OF VIOLATION

Roland Sawyer

IA 95-047

During an investigation conducted on behalf of the Public Service Company of Colorado, and subsequently confirmed by an investigation conducted by the NRC's Office of Investigations, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600 (60 FR 34381, June 30, 1995) the violation is set forth below:

10 CFR 50.5 states, in part, that any employee of a contractor or subcontractor of any licensee may not "[d]eliberately submit to ... a licensee, or a licensee's contractor or subcontractor, information that the person submitting the information knows to be incomplete or inaccurate in some respect material to the NRC."

Contrary to the above, in February and March 1993, Roland Sawyer, an employee of SEG, a contractor to a licensee (Public Service Company of Colorado), prepared and approved records of radiation surveys that he knew were inaccurate in some respect material to the NRC. Specifically, Mr. Sawyer knew that the records, which were required to support the release of material from the facility and work conducted under various radiation work permits, were dated and signed to falsely indicate that they had been created substantially earlier. In addition, in September 1993, Mr. Sawyer created a survey record supporting release of the hot service facility plug to indicate that the survey had been completed when in fact it had not. These records were material to the NRC because they were required to ensure compliance with the regulations in 10 CFR Part 20. (01013)

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

Pursuant to the provisions of 10 CFR 2.201, you are required to submit a written response to this Notice of Violation to the U.S Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, within 30 days of the date of the letter transmitting this 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. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response shall be submitted under oath or affirmation.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if it is necessary to include such information, it should clearly indicate the specific information that should not be placed in the

PDR, and provide the legal basis to support the request for withholding the information from the public.

Dated at Arlington, Texas
this 30th day of October 1995