

ENCLOSURE 1

NOTICE OF VIOLATION

North Carolina State University
PULSTAR Reactor

Docket No.: 50-297
License No.: R-120

During an NRC inspection conducted on June 22-24, 1992, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

- A. 10 CFR 50.54(q) requires a licensee authorized to possess and/or operate a research reactor to follow and maintain in effect an emergency plan.

Part 10.4.1 of the Emergency Plan, Revision 1, dated 1985, requires a biennial review of the Emergency Plan by the Radiation Protection Council.

Contrary to the above, a review of the Emergency Plan had not been conducted by the Radiation Protection Council since 1985, a period exceeding the biennial frequency.

This is a Severity Level IV violation (Supplement VIII).

- B. Technical Specification Section 6.3.a.4 requires that operating procedures pertaining to emergency conditions be written, updated periodically, and followed.

Health Physics Procedure 1-2, Maintenance of Self-Contained Breathing Apparatus (SCBA), Revision 0, dated April 1, 1989, requires that total system performance checks of the SCBAs be accomplished by either the manufacturer or an approved vendor annually, but at intervals not to exceed 15 months.

Contrary to the above, the licensee failed to comply with the procedure requiring total system performance checks for SCBAs in that maintenance records indicated such checks having been performed only in January 1990 and in March 1992, an interval exceeding 15 months.

This is a Severity Level V violation (Supplement VIII).

Pursuant to the provisions of 10 CFR 2.201, North Carolina State University is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region II, within 30 days of the date of

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the letter transmitting this Notice of Violation (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. If an adequate reply is not received within the time specified in this Notice, an order or Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Atlanta, Georgia
this 31st day of *July* 1992