



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30323

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APR 28 1988

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Docket No. 55-6161
License No. SOP 20327-1
EA 88-122

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DOCKETING & SERVICE
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referenced docketed
operator

Mr. William H. Downs
2250 Cheshire Bridge Road, No. C-14
Atlanta, GA 30324

Dear Mr. Downs:

The purpose of this letter is to notify you of an NRC Enforcement Conference at which your presence is requested. The purpose of the Enforcement Conference will be to obtain information to assist the Commission in reaching enforcement decisions regarding apparent improper conduct by you at the Georgia Institute of Technology's Neely Nuclear Research Center. The conduct in question concerns your operating, administrative, and health physics practices, including violations of regulatory requirements over an extended period of time. Enclosed for your information is a statement of the purpose of Enforcement Conferences from 10 CFR 2, Appendix C, Section IV.

Information regarding the concerns noted above was obtained during inspections conducted by regional-based inspectors and testimony you provided to the NRC Office of Investigation. Enclosed is a list of issues to be discussed. These issues date back as far as 1984 and culminate in the August 1987 contamination event; and, in the aggregate, place in question your qualifications to hold a Senior Reactor Operator's license. Information gathered during these inspections and investigations, as well as information provided by you during the Enforcement Conference, will form the basis for deciding what action, if any, should be taken regarding your operator's license.

The Enforcement Conference is tentatively scheduled for May 12, 1988, at the NRC's Region II offices. Specific schedule arrangements for the Enforcement Conference will be made with you to ensure that the conference is scheduled for a mutually convenient time. You will be informed of the exact date and time at a later date. Any questions regarding the Enforcement Conference should be directed to Mr. Paul E. Fredrickson of the NRC Region II staff at 404/331-5649 or Mr. Al Gibson at 404/331-5680.

Sincerely,

J. Nelson Grace
Regional Administrator

Enclosures: (See Page 2)

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NUCLEAR REGULATORY COMMISSION
Docket No. 50-160-REN EXHIBIT NO. 21
In the matter of Ha. Secu
 Staff Applicant Intervenor Other
 Identified Received Rejected Reporter wcw
Date 5/29/86 Witness —

Apr 23 1988

Mr. William H. Downs

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Enclosures:

1. 10 CFR 2, Appendix C,
Section IV
2. W. H. Downs Enforcement
Conference Issues

cc w/encls:

R. Karam, GA Tech
J. Stelson, GA Tech
Docket File 55-6161

ENCLOSURE 1 - 10 CFR 2 Appendix C, Section IV**IV. Enforcement Conferences**

Whenever the NRC has learned of the existence of a potential violation for which a civil penalty or other escalated enforcement action may be warranted, or recurring nonconformance on the part of a vendor, the NRC will normally hold an enforcement conference with the licensee or vendor prior to taking enforcement action. The NRC may also elect to hold an enforcement conference for other violations, e.g., Severity Level IV violation which, if repeated, could lead to escalated enforcement action. The purpose of the enforcement conference is to (1) discuss the violations or nonconformance, their significance and causes, and the licensee's or vendor's corrective actions, (2) determine whether there are any aggravating or mitigating circumstances, and (3) obtain other information which will help determine the appropriate enforcement action.

In addition, during the enforcement conference, the licensee or vendor will be given an opportunity to explain to the NRC what corrective actions (if any) were taken or will be taken following discovery of the potential violation or nonconformance. Licensees or vendors will be told when a meeting is an enforcement conference. Enforcement conferences will not normally be open to the public.

When needed to protect the public health and safety or common defense and security, escalated enforcement action, such as the issuance of an immediately effective order modifying, suspending, or revoking a license, will be taken prior to the enforcement conference. In such cases, an enforcement conference may be held after the escalated enforcement action is taken.

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ENCLOSURE 2

1. Event: Overranging of a rad monitor utilized in isolating containment building exhaust, such that it would not isolate unless levels were 100 times the maximum release rate permitted. Documented in NRC Inspection Report Nos. 50/160-85-02, 85-03, 87-03. (1/84)
2. Event: Striking of Hot Cell Window with a wrench while manipulations were in progress. (2/85)
3. Event: Failure to isolate sample line per procedure when performing monthly surveillance. Documented in NRC Inspection Report No. 50-160/87-02. (1/86-2/87)
4. Event: Failure to fill out or complete Experiment Schedule Forms or Experimenter's Checklists. Documented in NRC Inspection Report No. 50-160/87-01. (1986)
5. Event: Failure to wear dosimetry and protective clothing in areas requiring their use. Documented in NRC Inspection Report No. 50-160/87-03. (3/86-11/86)
6. Event: Failure to log Initial Conditions and Equilibrium Conditions per Procedure 2000, "Reactor Operation" on frequent occasions, as well as numerous missing/incomplete log entries. Documented in NRC Inspection Report No. 50-160/87-01. (1986)
7. Event: Power excursion from 300 KW to approximately 2 MW while power was supposed to be stabilized during conduct of Beam Port operations. Documented in NRC Inspection Report No. 50-160/87-01. (2/87)
8. Event: Inadequate log keeping and control of an experiment resulting in the overexposure of a topaz experiment. Subsequent contamination event due to poor Health Physics practices and inadequate communications with facility management. Inconsistent information provided to the NRC regarding post-spill activities, in particular the radiation monitoring of your residence. Documented in NRC Inspection Report No. 50-160/87-08. (4/87-2/88)