

APPENDIX A
NOTICE OF VIOLATION

University of California
Irvine, California

Docket No. 50-326
License No. R-116

During an NRC inspection conducted on January 27-29, 1988, two 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 (1987), the violations are listed below:

A. Technical Specifications (TS), Section 6.3, states, in part:

"Written procedures, reviewed and approved by the Reactor Operations Committee, shall be in effect and followed for the following item. ..."

- "e. Maintenance procedures which could have an effect on reactor safety.
- "f. Periodic surveillance of reactor instrumentation and safety systems, area monitors and continuous air monitors."

Section 4.1 of the licensee's Standard Operating Procedures (SOP) states, in part: "Routine operations must comply strictly with these procedures..." and Section 4.71, dated April 21, 1982, states, in part: "...In addition, a Monthly Summary Checklist of maintenance and test activities shall be completed. This list shall be checked and signed each month by the Assistant Reactor Supervisor and reviewed by the Reactor Supervisor by the seventh working day. If this review has not been completed, reactor operations may not be resumed."

Contrary to the above,

1. Monthly checklists were not completed for the period of October 1987 through January 1988.
2. Four monthly checklists initiated or completed between the period of January 1986 and September 1987 had not been signed by the Assistant Reactor Supervisor.
3. Monthly checklists initiated or completed between January 1986 and September 1987 had not been reviewed by the Reactor Supervisor.
4. At least eight monthly checklists for the period of January 1986 to September 1987 were only partially completed (i.e., from less than 95% complete to approximately 90% complete).
5. Reactor operations continued even though none of the monthly reviews had been performed by the Reactor Supervisor between the period of January 1986 and September 1987.

These in the aggregate are a Severity Level IV violation (Supplement I).

- B. 10 CFR Part 50.54(q) states, in part: "...A licensee authorized to possess and/or operate a research reactor or fuel facility shall follow and maintain in effect emergency plans which meet the requirements in Appendix E of this part."

1. Section 8.3.2 of the licensee's Emergency Plan (EP) states, in part: "Several staff members are qualified in first aid."

Contrary to the above, at the time of the inspection the first aid qualifications of all staff members had lapsed.

2. Section 8.6 of the EP requires that all instruments included in the emergency equipment store room inventory be included in the regular testing and calibration program of the facility and campus radiological safety instruments.

Contrary to the above, at the time of the inspection a high volume air sampler maintained in the emergency equipment store room since 1985 had not been included in the licensee's testing and calibration program.

3. Section 10.1 of the EP states, in part: "Procedures shall be established to ensure that annual review of the plan by all personnel is accomplished and that new personnel are familiarized within 30 days of commencing their duties which would involve them in emergency operations."

Contrary to the above, at the time of this inspection procedures had not been established to require the Security and Environmental Health and Safety staff members to accomplish an annual review of the plan for the purpose of ensuring that personnel retain a familiarization with the provisions provided in the plan. The annual reviews for these groups of personnel had not been accomplished for the years 1986 and 1987.

4. Section 10.2 of the EP states, in part: "An annual, on-site emergency exercise shall be conducted in which an event at the reactor facility is simulated to test the preparedness of the staff and the response of on campus assistance."

Contrary to the above, an annual exercise had not been conducted in 1987. The last exercise was conducted on December 19, 1986.

5. Section 10.3 of the EP states, in part: "Emergency call lists and Equipment Inventory Lists shall be updated as needed, but verified at least at intervals not to exceed 3 months."

Contrary to the above, call lists for the period of January 1986 through January 1988 were verified at 6-month intervals.

6. Section 10.3 of the EP requires agreements with off-site agencies be reviewed on an annual basis.

Contrary to the above, an agreement with Western Medical Center had not been reviewed since October 21, 1986.

These in the aggregate are a Severity Level IV violation (Supplement VIII).

Pursuant to the provisions of 10 CFR 2.201, University of California at Irvine, California, is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region V, 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 if admitted, (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that have been 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 may be issued to show cause why the license should not be modified, suspended, or revoked or why such action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown.

FOR THE NUCLEAR REGULATORY COMMISSION

for Frank A. Wenslawski
Ross A. Scarano, Director
Division of Radiation Safety and
Safeguards

Dated at Walnut Creek, California
this 3rd day of March 1988