

NOTICE OF VIOLATION

Rosemount Nuclear Instruments,
Incorporated
Chanhassen, Minnesota 55317

Docket No. 99900271
EA 94-049

During an NRC inspection conducted between February 1 and 4, and March 8 and 12, 1993, and an NRC investigation that was conducted between February 1990 and November 1993, the staff identified a violation of NRC requirements. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1993), the violation is listed below:

- A. Section 21.21, "Notification of failure to comply or existence of a defect," of the version of 10 CFR Part 21 in effect from January 1978 until July 1991, stated, in part:

Each individual, corporation, partnership, or other entity subject to the regulations in this part shall adopt appropriate procedures to (1) provide for (i) evaluating deviations or (ii) informing the licensee or purchaser of the deviation in order that the licensee or purchaser may cause the deviation to be evaluated unless the deviation has been corrected.

Rosemount Nuclear Instruments, Inc. is subject to 10 CFR Part 21.

Contrary to the above, the Measurement Division of Rosemount, Incorporated (Rosemount), Quality Implementation Procedure (QIP) 126(N), "Potential Defect or Deviation in Products for Nuclear Application," issued March 18, 1981, was not adequately established and implemented to ensure that deviations, as defined in 10 CFR 21.3(e), about which Rosemount did not have adequate knowledge of each of the applications at NRC licensee facilities, were either evaluated or transmitted to the applicable customer or licensee for evaluation. Specifically, between 1984 and December 1988, Rosemount failed to properly inform licensees of a potential for a sensor cell oil-loss problem that could occur in its nuclear-safety-related 1150-series pressure transmitters which could have caused safety limits to be exceeded or caused substantial safety hazards to exist at licensee facilities.

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

Notice of Violation

2

Pursuant to the provisions of 10 CFR 2.201, Rosemount Nuclear Instruments, Incorporated is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555-0001 with a copy to the Chief, Vendor Inspection Branch, Division of Reactor Inspection and Licensee Performance, Office of Nuclear Reactor Regulation, within 30 days of the date of 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: (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. Where good cause is shown, consideration will be given to extending the response time. Under the authority of Section 182 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Rockville, Maryland
this 15th day of November 1994.

The Commissioners

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