



North Carolina State University
School of Engineering

Department of Nuclear Engineering
Box 7909, Raleigh, NC 27695-7909

July 12, 1988

Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C 20555

Subject: REPLY TO A NOTICE OF VIOLATION
NRC INSPECTION REPORT NO. 50-297/88-03

Gentlemen:

In response to your letter dated June 13, 1988, transmitting the referenced Inspection Reports and a Notice of Violation, the attached written statements are submitted regarding the alleged violations pursuant to the provisions of 10 CFR 2.201 as stated in Enclosure of your letter.

If there are any questions in this matter, please advise.

Sincerely,

Thomas S. Elleman
Head, Nuclear Engineering

TSE:edt

- cc: (1) Nuclear Regulatory Commission Region II
Mr. J. Nelson Grace
Regional Administrator
Atlanta, Georgia 30323
- (2) Nuclear Regulatory Commission Region II
Paul E. Fredrickson
Section Chief
Reactor Project Section 1A
Division of Reactor Projects
Atlanta, Georgia 30323
- (3) Dr. Bernard Wehring
Director, Nuclear Reactor Program
North Carolina State University

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- (4) Garry Miller
Associate Director, Nuclear Reactor Program
North Carolina State University
- (5) Dr. Hayne Palmour
Chairman, Reactor Safeguards Advisory Group
North Carolina State University
- (6) Dr. John Roberts
Chairman, Radiation Protection Council
North Carolina State University
- (7) William D. Morgan
Radiation Protection Officer
North Carolina State University

Reference: NRC Inspection Report No. 50-297/88-03

1. STATEMENT OF VIOLATION

Technical Specification 6.2.7 requires that the Reactor Safeguards Advisory Group (RSAG) meet at least every six calendar months.

Contrary to the above, RSAG did not meet during the period April 8, 1987 to February 25, 1988.

This is a Severity Level V Violation (Supplement I)

2. RESPONSE

a) *Admission or Denial of the alleged violation*

The violation is admitted.

b) *The reason for the violation if admitted*

We submit that the violation, while it exists, is of purely a technical nature and does not properly reflect the high degree of competence and considerable level of effort that individual RSAG members have invested in this important function. In fact, when viewed over a broader time frame, the number of formal RSAG meetings per year results in a frequency of meetings considerably shorter than the six month required interval.

At North Carolina State University it has always been considered important to insure that the RSAG membership collectively represent two key elements - - the first being an assemblage of the relevant technical competencies and the second being demonstrable independence from the reactor program per se. This has been traditionally accomplished by appointments of experienced, senior faculty members drawn from related departments such as Physics, Materials Engineering, Chemistry, etc. The pool of such persons having specific knowledge of the PULSTAR Reactor has declined in recent years due to attrition, retirement, death, etc. Those who remain and now serve are very senior faculty with many other administrative, teaching, and research duties.

As a result, it has become more and more difficult to schedule effective RSAG meetings with the needed full attendance. This was a particularly acute problem during the last half of 1987. For example, Dr. Hayne Palmour, who took over as RSAG Chairman on 1 July 1987, then had to devote one full month to administrative duties within his own department, took two weeks of vacation, resumed academic duties in mid-August, and during the fall semester was away from campus on travel status for a total of 33 days (this included four different trips, one of which was for a 3½ week period for professional meetings around the world). The other current RSAG members have generally similar complex scheduling problems.

c) *Corrective steps which have been taken and the results achieved*

See Item d) below.

d) *Corrective steps which will be taken to avoid further violations*

To facilitate timely scheduling of RSAG activities that effect technical specification compliance directly, it has been established that such RSAG meetings will be scheduled by the Manager of Nuclear Operations. This will insure that this audit activity is kept on the same master scheduling list as are all other surveillance activities. Such meetings will normally take place in April and October of each year. During the transition to the preferred schedule, an appraisal visit will also take place during July or early-August 1988 to insure a continued meeting frequency within the six month interval. All other RSAG technical review and advisory functions will continue to be based on Radiation Protection Council requests as coordinated through the Radiation Protection Office.

The larger problem of insuring a continued pool of qualified RSAG members in the future will be an agenda item for a Radiation Protection Council meeting during the fall semester of 1988. Input will be obtained from the current RSAG, the Nuclear Reactor Program, and the University Administration.

e) *The date when full compliance will be achieved*

Based upon the current meeting schedule, full compliance has been realized and by institution of the new scheduling mechanism, it will be maintained.