

NOTICE OF VIOLATION

Consumers Energy Company
Big Rock Point Nuclear Plant

Docket No. 50-155
License No. DPR-06
EA 97-239

During an NRC investigation conducted from December 16, 1996, through April 10, 1997, with continuing NRC review through November 7, 1997, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

1. Technical Specification 6.11 (Radiation Protection Programs) requires that procedures for personnel radiation protection shall be prepared consistent with the requirements of 10 CFR Part 20 and shall be approved, maintained, and adhered to for all operations involving personnel radiation exposure.

Station procedure RP-29, "Radiological Surveys", contains requirements to monitor radiological conditions (routine and nonroutine) and provide a routine check of some of the equipment used to monitor these conditions.

Contrary to the above, certain radiation surveys required by station procedure RP-29 were not completed. Specifically, on July 21, 1996, a required daily air sample on the 585' level of the Reactor Containment Building was not completed; on July 20 and 21, 1996, a required daily radiation survey for the exterior cable penetration room was not conducted; the monthly survey required for the Radwaste Building was not completed in September 1996; and a required air sample was not completed in the Radwaste Building on September 15, 1996. (50-155/97014-01)

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

2. 10 CFR 20.1501 requires, in part, that each licensee shall make or cause to be made surveys that may be necessary for the licensee to comply with the regulations in this part.

Pursuant to 10 CFR 20.1003, *survey* means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation.

10 CFR 20.1201(a)(1)(i) requires, with exceptions not applicable here, that the licensee control the occupational dose to individual adults to an annual dose limit of 5 rems total effective dose equivalent.

10 CFR 20.2103 requires, in part, that each licensee maintain records showing the results of surveys required by 10 CFR 20.1501 for 3 years after the record is made.

10 CFR 50.9 requires, in part, that information required by the Commission's regulations to be maintained by the licensee shall be complete and accurate in all material respects.

Contrary to the above, certain radiation survey records required to be maintained by the Commission's regulations were not accurate in all material respects. Specifically, these records indicated results for surveys which had never been performed. These surveys consisted of the following: a July 21, 1996, daily air sample on the 585' level of the Reactor Containment Building; July 20 and 21, 1996, daily radiation surveys of the exterior cable penetration room; a September 15, 1996, air sample of the Radwaste Building; and a September, 1996, monthly survey of the Radwaste Building.

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

Pursuant to the provisions of 10 CFR 2.201, Big Rock Point Nuclear Plant 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 III, 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 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 a Demand for Information may be issued to show cause 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. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Lisle, Illinois
this 19th day of November 1997