

March 18, 1999

Docket No. 030-29437

License No. 37-27879-01

James L. Shuey
Support Group Supervisor
Combustion Systems Services, Inc.
P. O. Box 312
U. S. Highway 209
Tremont, PA 17981

SUBJECT: INSPECTION NO. 030-29437/99-001 AND NOTICE OF VIOLATION

Dear Mr. Shuey:

On January 21, 1999, James Bondick of this office conducted a safety inspection at Westwood Generating Station, Joliet, Pennsylvania of activities authorized by the above listed NRC license. The inspection was limited to a review of the status of licensed radioactive material, observations and radiation measurements made by the inspector, interviews with personnel, and an examination of a limited number of records. The findings of the inspection were discussed with you and Ray McCaffrey of Cinergy/CinCap at the conclusion of the inspection. The enclosed report presents the results of this inspection.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed that categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600. Combustion Systems Services, Inc. (CSS), an affiliate of Asea Brown Boveri, Inc. (ABB), previously operated the facility known as the Westwood Generating Station in Joliet, Pennsylvania. On December 9, 1998, Westwood Energy Properties Limited Partnership "WEP", a Connecticut limited partnership of Westwood Funding Corporation (WFC), an indirect subsidiary of ABB, filed for bankruptcy. The NRC received an indirect notification of change of ownership from the previous Radiation Safety Officer (RSO) on February 1, 1999.

During the inspection, we observed that ten of your fourteen gauges had been secured and were essentially in storage. In addition, in your letter dated January 29, 1999, you indicated that you had inspected and secured in the locked "OFF" position the remaining four gauges. On February 19, 1999, you requested termination of your license. Concurrently, CinCap VI LLC filed for a new NRC license to operate the facility previously authorized on the NRC license issued to CSS. Therefore, you need not respond to this Notice of Violation regarding the reasons for these violations, the corrective actions taken and planned to correct the violations and prevent recurrence. If you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

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J. Shuey
Combustion Systems Services, Inc.

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In accordance with Section 2.790 of NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room (PDR).

If you choose to provide additional information, please note that because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Your cooperation with us is appreciated.

Sincerely,

Original signed by Pamela J. Henderson

Pamela J. Henderson, Acting Chief
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety

Enclosures:

1. Notice of Violation
2. Inspection Report No. 030-29437/99-001

cc:
Commonwealth of Pennsylvania

J. Shuey
Combustion Systems Services, Inc.

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