



# NRC NEWS

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## **NRC STAFF PROPOSES \$96,000 CIVIL PENALTY AGAINST PG&E FOR SPENT FUEL POOL STORAGE VIOLATIONS AT HUMBOLDT BAY**

The Nuclear Regulatory Commission staff has proposed a \$96,000 civil penalty against Pacific Gas & Electric Company for violations of NRC requirements related to the storage of spent radioactive fuel and other radioactive material in the spent fuel storage pool at the Humboldt Bay Unit 3 nuclear power plant near Eureka, Ca.

Bruce S. Mallett, Administrator of the NRC Region IV office in Arlington, Tex., said in a December 20 letter to the company that the violations originated from a July 2004 PG&E report to the NRC which indicated that the company could not locate three 18-inch segments of a fuel rod that records show were removed from the reactor in 1968. The company also said its records failed to account for radioactive incore detectors after some were cut in 1973.

“It is important that licensees maintain an accurate inventory of the content of their spent fuel pools,” Mallett said. “Based on our inspections and review of their response to this incident, we are confident that PG&E has taken the appropriate corrective actions to ensure this.”

The plant was shut down in 1976 and has been in a SAFSTOR status since 1988. SAFSTOR is a method of decommissioning in which the nuclear facility is placed and maintained in such condition that it can be safely stored and subsequently decontaminated to levels that permit release for unrestricted use. The violations were identified in 2004 during PG&E’s review of the inventory of the material in the spent fuel pool.

The NRC conducted special inspections at the plant from Nov. 2, 2004 through Aug. 2, 2005 to review the circumstances of the reported loss and ensure appropriate corrective actions had been taken to prevent recurrence.

In its December 20 letter to the company, NRC identified three violations: (1) failure to keep adequate records of special nuclear material inventory, transfer or disposal; (2) failure to establish adequate procedures for control and accounting of special nuclear material; and (3) failure to conduct adequate physical inventories of special nuclear material. The violations cumulatively constituted a Severity Level 2 violation, the second most serious under the NRC enforcement program which existed at the time they occurred. In determining the severity level of enforcement, the NRC took into account that PG&E had self-identified the violations and taken prompt and comprehensive corrective action.

NRC officials determined that it was highly unlikely that the missing fuel or incore detectors were stolen or pose any public risk. The NRC also concluded that the materials had most likely been shipped to a licensed low-level waste disposal site in the United States.

Copies of the letter to the company and the Notice of Violation will be available online at: <http://www.nrc.gov/what-we-do/regulatory/enforcement/current.html>. They are also available from the NRC Public Document Room in Rockville, Md., or on the NRC's document system (ADAMS) by entering ML053540386. ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>. Help in using ADAMS is available by calling the NRC Public Document Room at (301) 415-4737.

The company has 30 days from receipt of the Notice of Violation to either pay the civil penalty or to protest it, in whole or in part.

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