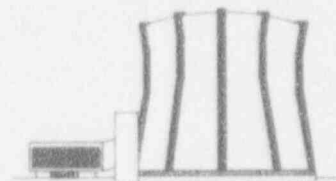


TEXAS ENGINEERING EXPERIMENT STATION

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NUCLEAR SCIENCE CENTER
409/845-7551

27 July 1994

U.S. Nuclear Regulatory Commission
ATTN: Document control Desk
Washington, D.C., 20555

94-0222

Docket No: 50-128 License R-83

SUBJECT: Licensee Reply to a Notice of Violation Dated
June 15, 1994 (128/9401-01)

Dear Sir:

This letter is to respond to the violation found during the NRC inspection on May 23-27, 1994.

Violation

- A. Technical Specification 6.2.4 requires, in part, that the Reactor Safety Board, or a subcommittee thereof, audit reactor operations and that such audits "...shall include...the following:"
- "(a) Facility operations[, including radiation protection,] for conformance to the technical specifications and applicable license conditions at least once per calendar year (interval not to exceed 15 months)."
- "(d) The reactor facility emergency plan and implementing procedures at least once per calendar year (interval not to exceed 15 months)."

Contrary to the above, the inspector determined on May 27, 1994, that facility operations had not been audited since April 23, 1991, and the emergency plan had not been audited since July 17, 1991.

Reasons for Violation

The audits required of the Reactor Safety Board (RSB) are tracked by the Management Overview Program (MOP) at the Nuclear Science Center. This program was developed as a result of the previous NRC Notice of Violation 128/9202-04: Failure of the Reactor Safety Board to Perform Audits of Reactor Programs at the Required Intervals.

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The emergency plan audit had been scheduled on the MOP. Although there is no written documentation to show the audit had been performed, the Nuclear Science Center Staff and the member of the RSB assigned the audit are all confident the audit was performed in March of 1993 (see the attached memo from T. Parish). Unfortunately, the checklist used during the audit was misplaced during an office change and there was no other record of the audit.

Technical Specification 6.2.4 (RSB Audit Function) lists the required audits under four separate paragraphs. When the MOP was initiated, this was interpreted as requiring four audits a year or one per quarter. However, the first paragraph actually referenced several separate audits (Facility operations, including radiation protection, . . .) which became, incorrectly, one audit requirement (Radiation Protection Program) under the MOP.

Corrective Action Taken

The loss of the emergency plan audit documentation resulted from a weakness in tracking audits after completion. Previously, it was left to the RSB member performing an audit to initiate a report to the RSB chairman in a reasonable period of time. The MOP now has a separate requirement for tracking the audit following completion. This will place a time limit on the written report from the auditor, the NSC written response, and the final review of the audit during a scheduled RSB meeting.

The audit program has been expanded under the MOP to include:

1. Reactor Operations Records
2. Reactor Maintenance and Surveillance
3. Experimental Facilities/Experiments/Records

All audits are detailed in separate checklists that incorporate the NRC's Inspection Procedure 40750 from the NRC Inspection Manual as well as facility-specific requirements.

The audits of the emergency plan and facility operations are being scheduled and should be completed by mid-July of this year.

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Should there be any questions regarding this reply, please contact me at (409) 862-1463 or Dr. W. D. Reece, Director, Nuclear Science Center at (409) 845-7551

Respectfully submitted,



Raymond W. Flumerfelt
Deputy Director
Texas Engineering Experiment Station

DSO/ph

Enclosure

xc: Gary Hogg, RSB Chairman
W. D. Reece, NSC Director
Samuel J. Collins, Director
Division of Radiation Safety and Safeguards
NRC Region IV
Chrono File
File 17123