

## NOTICE OF VIOLATIONS

Manhattan College Corporation  
Zero Power Reactor

Docket No.(s) 50-199  
License No.(s) R-94

During an NRC inspection conducted on December 9-12, 1996 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 3.1.3(A) states, in part, the total core excess reactivity...shall not exceed 0.44%  $\Delta k/k$  (0.59%) at any condition of the reactor.

Contrary to the above, the licensee measured the excess reactivity after installing a new core as 0.73% to 0.78%  $\Delta k/k$  and failed to properly adjust the reactivity prior to continuing operations. (See section O2.1B of attached report.)

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

2. License No. R-94 issued on March 26, 1985, Section 2.C(1), Maximum Power Level, states "The licensee may operate the reactor not in excess of 0.1 watt (thermal)".

Contrary to the above, the reactor was operated on several occasions with a new low enriched uranium core during the period April 1995 to November 1996 without determining the power level. (See section O2.1B of attached report.)

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

3. Technical Specification 4.2.3 (B.) states, in part, measurement of rod drop times shall be made once semi-annually.

Contrary to the above, rod drop times were not measured during the latter half of calendar year 1995, nor in 1996. (See section O2.1B of attached report.)

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

Pursuant to the provisions of 10 CFR 2.201, Manhattan College Corporation 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 I, 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time

specified in this Notice, an order or a Demand for Information may be issued as to 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.

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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at King of Prussia, Pennsylvania  
this 23 day of January, 1997