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NRC STAFF PROPOSES \$50,000 FINE AGAINST
NORTHEAST NUCLEAR ENERGY COMPANY

The Nuclear Regulatory Commission staff has cited Northeast Nuclear Energy Company for two alleged violations of NRC requirements at its Millstone Nuclear Power Station, Unit 3, in Waterford, CT. The staff proposed a \$50,000 fine.

During the recent refueling outage, Northeast employees at Millstone Unit 3 found a design deficiency in the auxiliary building (ventilation) filter system (ABFS) during routine testing. NRC inspectors conducted a follow-up inspection on August 28 through November 8, 1993.

The ABFS is designed to control the release of radioactive material from the auxiliary building in the event of an accident, by passing these releases through a filter. It also works in conjunction with the supplemental leak collection and release system (SLCRS), which is designed to filter radioactivity that could leak into structures surrounding the primary containment following an accident, reducing any release to the environment. The Technical Specifications of the plant's license require that the SLCRS must be capable of drawing a negative pressure in the secondary containment boundary within 50 seconds, to prevent any radioactive leakage during an accident from being released to the atmosphere without first passing through the charcoal filters. Under certain circumstances, the identified design deficiency caused the ABFS to be inoperable, and not capable of supporting the SLCRS to meet its design drawdown time.

Millstone Unit 3 Technical Specifications require that two independent trains of ABFS and SLCRS be operable during plant operation. With neither SLCRS train operable, a plant shutdown must be initiated within one hour and completed within six hours. Northeast Nuclear was cited for failing to shut down the plant on numerous occasions between October 1992 and August 1, 1993, when neither SLCRS train was operable because of the ABFS design deficiency in conjunction with an outage of one ABFS train.

Northeast Nuclear also was cited for failing to assure that conditions adverse to quality, such as failures, malfunctions or deficiencies (in this case, the design deficiencies of the ABFS), are promptly identified and corrected. Specifically, the corrective actions for a similar problem in August 1992, which resulted in a \$62,500 civil penalty, did not include adequate testing to preclude repetition of the violation.

In a letter to Northeast Nuclear, Thomas T. Martin, Regional Administrator, NRC Region I, said, "The NRC recognizes the complexity of the ABFS/SLCRS relationship. Nonetheless, the NRC is concerned that since initial startup, and especially after the 1992 event and subsequent escalated enforcement action taken by the NRC, your staff was not fully aware of the ABFS design and operational requirements for these systems, and was not able to implement effective testing requirements and identify this design deficiency which existed since initial startup. Your staff failed to adequately evaluate the system design and operating limitations."

The NRC staff proposed a \$50,000 fine. The fine could have been doubled based on Northeast's past performance, which includes the civil penalty for SLCRS/ABFS inoperability in 1992. It was not increased, however, because the licensee identified the problem, because Northeast's immediate and short term corrective actions were prompt and comprehensive and placed the plant in compliance with the regulations, and Northeast's long-term corrective actions appear to address the issues involved.

Northeast has 30 days either to pay the proposed fine or to request in writing that part or all of it be withdrawn. The company also has 30 days to admit or deny the alleged violations, to describe the actions it has taken or plans to take to prevent their happening in the future, and to give the date by which it expects to be in full compliance with NRC requirements.

The State of Connecticut was informed of this enforcement action.

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