



**Northeast
Nuclear Energy**

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The Northeast Utilities System **MAY - 1 2000**

Docket No. 50-245
B18091

Re: 10 CFR 50.9

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555-0001

Millstone Nuclear Power Station, Unit No. 1
Reply to Notice of Violation

This letter provides Northeast Nuclear Energy Company's (NNECO) response to the U.S. Nuclear Regulatory Commission's (NRC) Notice of Violation (NOV) dated April 3, 2000.⁽¹⁾ On January 10, 2000, the NRC provided a letter summarizing the results of an NRC Office of Investigations (OI) Report.⁽²⁾ NNECO referred this matter to the Employee Concerns Program (ECP) for investigation. The independent investigation conducted by the ECP resulted in an indeterminate finding. A response to this apparent violation was submitted on February 28, 2000,⁽³⁾ which included a copy of the ECP report. A redacted version of the ECP report was provided on April 17, 2000.⁽⁴⁾

NNECO does not contest this violation. The response to the NOV is provided in Attachment 1.

NNECO management is very concerned about some of the findings that surfaced through the independent ECP investigation. As indicated in Attachment 1, NNECO has communicated to the Millstone workforce management's expectations regarding the

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- (1) NRC letter to NNECO, "Notice of Violation NRC Investigation Report No. 1-1997-036)," dated April 3, 2000.
 - (2) NRC letter to NNECO, "NRC Office of Investigations Report No. 1-1997-036," dated January 10, 2000.
 - (3) NNECO letter B17987 to NRC, "Response to Apparent Violation in Office of Investigations Report No. 1-1997-036," dated February 28, 2000.
 - (4) NNECO letter B18030 to NRC, "Response to Apparent Violation in Office of Investigations Report No. 1-1997-036," dated April 17, 2000.

IE54
Public per
G. C. Wallace

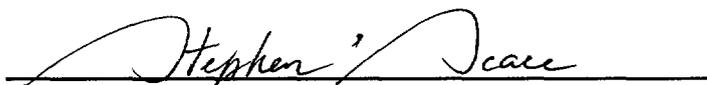
need for accuracy and completeness in all materials required to be prepared pursuant to procedures and in communications with the NRC.

The regulatory commitments contained in this letter are located in Attachment 2.

If you have any questions, please contact David A. Smith, Manager, Regulatory Affairs, at (860) 437-5840.

Very truly yours,

NORTHEAST NUCLEAR ENERGY COMPANY



Stephen E. Scace
Director - Nuclear Oversight and
Regulatory Affairs

cc: H. J. Miller, Region I Administrator
L. L. Wheeler, NRC Project Manager, Millstone Unit No. 1
P. C. Cataldo, Resident Inspector, Millstone Unit No. 1

James C. Linville, Director
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475 Allendale Road
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Attachment 1

Millstone Nuclear Power Station, Unit No. 1

Reply to Notice of Violation

May 2000

REPLY TO NOTICE OF VIOLATION

Restatement Of The Violation

10 CFR 50.9 requires that information provided to the Commission by a licensee, or information required by the Commission's regulations to be maintained by the licensee, shall be complete and accurate in all material respects.

Technical Specification 6.11 requires that procedures for personnel radiation protection be prepared consistent with the requirements of 10 CFR Part 20 and shall be adhered to for all operations involving personnel radiation exposure.

10 CFR 20.1101 requires, in part that procedures and engineering controls be used to the extent practical to achieve occupational doses that are as low as reasonably achievable.

Northeast Nuclear Energy Company (NNECo) procedure RPM 1.4.1, Rev 0, dated 1/1/94, "ALARA Reviews and Reports," required an ALARA review for jobs within a radiological controlled area (RCA) with an estimated exposure of 1 rem Total Effective Dose Equivalent (TEDE) or greater. NNECo procedure RPM 1.4.1 also provided instructions for completing an ALARA Exposure Controls Summary. The ALARA Exposure Controls Checklist required a pre-work briefing in order to discuss ALARA controls. The ALARA Exposure Controls Summary documented this meeting and also required reading the attached ALARA Checklist Discussion Sheet.

Contrary to the above, on January 24, 1997, a senior health physics (SHP) technician conducting a pre-job briefing of workers for a job involving the transfer of radioactive waste material from ten drums to a liner (an activity involving an estimated exposure greater than 1 rem TEDE), and subsequent to the completion of the transfer activity, the SHP technician altered the ALARA Checklist Discussion Sheet causing it to not be accurate in that it did not reflect the Discussion Sheet that existed at the time of the briefing. This ALARA Checklist Discussion Sheet was altered by the SHP technician after several workers were contaminated during the transfer of the radioactive material. The alteration included the addition of the statement (which was in bold, upper case, and underlined) "**THE POTENTIAL EXITS (sic) AND IS LIKELY FOR PERSONNEL SKIN CONTAMINATIONS AND SHOE CONTAMINATIONS DURING THE UNDRRESS EVOLUTION.**" The altered ALARA Checklist Discussion Sheet was provided to an NRC inspector during an inspection of the contamination incident in February 1997, and led the inspector to believe that a caution concerning the likelihood of workers becoming contaminated was in the documentation prepared prior to the job and discussed at the pre-work briefing. Therefore, the inaccurate information had the capability to influence an NRC reviewer and is material.

This violation is classified as a Severity Level IV (Supplement VII).

Reason For The Violation

In response to the NRC's letter dated January 10, 2000,⁽¹⁾ notifying NNECO of an apparent violation of 10 CFR 50.9, NNECO management requested the NNECO Employee Concerns Program (ECP) to conduct an investigation. A response to this apparent violation was submitted to the NRC on February 28, 2000.⁽²⁾ Based on the results of the ECP report, NNECO has no additional information to contest this violation.

Corrective Steps That Have Been Taken And The Results Achieved

Immediately after receiving the NRC's January 10, 2000, letter,⁽³⁾ NNECO management initiated the ECP investigation as described previously. A response to the apparent violation, together with a copy of the ECP report, was submitted via letter on February 28, 2000.⁽⁴⁾ The corrective actions to which NNECO committed in the February 28, 2000, letter have been completed.

In addition, and with the individual's agreement, the Senior Health Physics Technician, alleged to have added the sentence to the ALARA Checklist Discussion Sheet, was removed from supervisory duties pending the completion of ECP's investigation and management's evaluation of ECP's findings. Appropriate actions are being taken with respect to the individual and others who were involved in this situation.

As indicated in NNECO's February 28, 2000, response, management has consistently stressed the need for completeness and accuracy in documentation, especially documents submitted to the NRC or maintained for regulatory purposes.

NNECO management continues to address information developed by the ECP which indicates that individuals may have believed it was permissible to make changes to documents required by procedures after the document had been finalized. NNECO management has communicated to site personnel that any changes to final documents must be done in accordance with procedures. On March 10, 2000, in connection with this event, the Millstone Station *To The Point* newsletter again reemphasized to station personnel the requirement to provide complete and accurate information in response to questions of NRC inspectors. Although this completed the corrective actions to which NNECO committed in the February 28, 2000, letter, NNECO management will provide

(1) NRC letter to NNECO, "NRC Office of Investigations Report No. 1-1997-036," dated January 10, 2000.

(2) NNECO letter B17987 to NRC, "Response to Apparent Violation in Office of Investigations Report No. 1-1997-036," dated February 28, 2000.

(3) NRC letter to NNECO, "NRC Office of Investigations Report No. 1-1997-036," dated January 10, 2000.

(4) NNECO letter B17987 to NRC, "Response to Apparent Violation in Office of Investigations Report No. 1-1997-036," dated February 28, 2000.

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further communication to site personnel regarding their expectation that material prepared in accordance with procedures be complete and accurate.

Date When Full Compliance Will Be Achieved

NNECO is in compliance with the requirements of 10 CFR 50.9.

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Attachment 2

Millstone Nuclear Power Station, Unit No. 1

List of Regulatory Commitments

May 2000

List of Regulatory Commitments

The following table identifies actions committed to by NNECO in this document.

Number	Commitment	Due
B18091-01	NNECO management will provide further communication to site personnel regarding their expectation that material prepared in accordance with procedures be complete and accurate.	July 15, 2000