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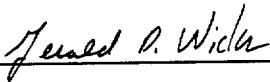
5 April 2001

**SUBJECT:** Inspection Report 50-297/2001-201  
License R-120  
Docket No. 50-297

Attention: Document Control Desk

Attached please find the reply for each of the two violations cited in Enclosure 1 of Inspection Report 50-297/2001-201 dated March 9, 2001. All four items required in the reply for each violation have been addressed. If you have any questions regarding the replies, please contact me at (919) 515-4601.

I declare under penalty of perjury that the foregoing is true and correct. Executed on 5 April 2001.

  
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Gerald D. Wicks, CHP  
Reactor Health Physicist & Lecturer  
Acting Associate Director

enclosures: Reply to Violation 1  
Reply to Violation 2

cc w encl: Mr. Craig Bassett  
Mr. Alexander Adams, Jr.

IE01

**Reply to Notice of Violation cited in Inspection Report No. 50-297/2001-201**

Violation 1: 10 CFR 50.54(q) states that if a change is made to the Emergency Plan without approval, the licensee shall submit, as specified in 10 CFR 50.4, a report of each change within 30 days after the change is made. Contrary to the above, Revision 6 of the Emergency Plan was placed in effect on June 1, 2000 and sent to the NRC on August 17, 2000.

Reply: (1) The violation occurred as a result of management oversight. Revision 6 of the Emergency Plan was approved in April, 2000 by the Reactor Safety and Audit Committee and Radiation Safety Committee with the condition that all Letters of Agreement be updated. All Letters of Agreement were received in May, 2000. In May, 2000 the Reactor Health Physicist met with the former Associate Director to establish an effective date and to provide the materials for submission to the NRC regarding Revision 6 of the Emergency Plan. An effective date of June 1, 2000 was determined to allow for copying and distribution of the revised Emergency Plan. Changes were made on June 1, 2000 to the Emergency Plan. The former Associate Director failed to report the changes to the NRC by June 30, 2000 as required.

(2) Corrective action taken was to report the changes made to the Emergency Plan and was completed on August 17, 2000.

(3) Corrective steps taken to avoid further violations of a similar type were to revise Special Procedure 2.1. Special Procedure 2.1 was revised to contain all necessary reviews and follow up actions for license document changes (Technical Specifications, FSAR updates, Emergency Plan, and Security Plan), procedure changes, and design changes. Previously, only procedure and design changes were included in this procedure. Reporting changes made to the Emergency Plan and Security Plan within 30 days and 2 months, respectively (in accordance with 10 CFR 50.54(q) and (p)), of the effective date has been added to this procedure. Completion of follow up actions and reports to the NRC are tracked on a review form by Special Procedure 2.1. As a result of this procedure change, the reporting requirement is to be specified with the implementation date for future revisions of the Emergency Plan and Security Plan.

(4) Special Procedure 2.1 was revised and implemented on March 13, 2001. A minor change was made to Special Procedure 2.1 on March 22, 2001 to clarify the NRC reporting requirements associated with the Emergency Plan and Security Plan. Full compliance was achieved on March 22, 2001.

**Reply to Notice of Violation cited in Inspection Report No. 50-297/2001-201**

Violation 2: Technical Specification (TS) 6.2.3 requires that all new and major revisions to procedures implementing the Emergency Plan be reviewed by the Radiation Safety Committee (RSC) or the Reactor Safety and Audit Committee (RSAC) before implementation. Contrary to the above, from April 30, 1997 to February 23, 2001 revisions were made to various emergency plan implementing procedures without the required review by either RSC or RSAC before implementation.

Reply: (1) The violation occurred as a result of management oversight. Upon approval of Amendment 11 of TS, the change made to TS 6.3(g) regarding the implementation of the Emergency Plan and Security Plan was not identified by the Nuclear Reactor Program management as a change requiring revision of the review and approval process. As a result, the Emergency Procedure providing directions on the review and approval for new and revised Emergency Procedures remained in effect and continued to be used. This Emergency Procedure did not provide for RSC or RSAC review of new or revised Emergency Procedures as required by Amendment 11 to TS 6.2.3 and TS 6.3(g).

(2) Corrective action taken was to review all changes made to the Emergency Procedures since April 30, 1997, to delete the Emergency Procedure providing directions for new and revised emergency procedures, and to revise Special Procedure 2.1 for the review of Emergency Procedures. Seven Emergency Procedures were revised between the present time and April 30, 1997. All seven of the revised Emergency Procedures have been reviewed and approved by RSC and RSAC.

(3) Corrective steps taken to avoid further violations of a similar type were to include reviews of new and revised Emergency Procedures and Security Procedures using Special Procedure 2.1. Review of Emergency Procedures and Security Procedures by RSAC or RSC is now required and is consistent with the review for all other procedures by Special Procedure 2.1.

(4) RSAC and RSC both reviewed and approved the seven affected Emergency Procedures on February 23, 2001 and March 22, 2001, respectively. Special Procedure 2.1 was revised and implemented on March 13, 2001. Changes to the seven Emergency Procedures were made effective on April 2, 2001. Therefore, full compliance was achieved on April 2, 2001.