



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
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May 16, 2002

EA-01-236

J. V. Parrish
Chief Executive Officer
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P.O. Box 968; MD 1023
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**SUBJECT: COLUMBIA GENERATING STATION CLARIFICATION AND RESPONSE
REGARDING NRC INSPECTION REPORT AND FINAL SIGNIFICANCE
DETERMINATION LETTER FOR A YELLOW FINDING AND NOTICE OF
VIOLATION (NRC INSPECTION REPORT 50-397/01-008)**

Dear Mr. Parrish:

Thank you for your letter of February 21, 2002 (ADAMS ascension number ML 020710579), regarding clarification of our characterization of the procedures, processes, and programs at Columbia Generating Station as discussed in NRC Inspection Report 50-397/01-008 and our letter of December 28, 2001. We understand that your letter and its attachments provided the clarifications referred to in your January 28, 2002, letter which responded to our Final Significance Determination letter and Notice of Violation of December 28, 2001, concerning the failure to meet the requirements of 10 CFR 50.54(q). We note that in your January 28, 2002, letter, you accepted this violation.

Your February 21, 2002, letter stated that NRC Inspection Report 50-397/01-008 and our December 28, 2001, letter included information that did not accurately describe or reflect procedures, processes, and programs that were in place at Columbia Generating Station prior to and during the period described in the inspection report and letter. You provided comments in Attachments A and B to indicate where the inaccurate information was located and your views regarding the correct information. We have reviewed each of your comments and have addressed the results below.

We believe that Inspection Report 50-397/01-008 accurately reflected the information that was known and available at the conclusion of the inspection and that Energy Northwest was given several opportunities to correct inaccurate information. Specifically, the inspection report stated that your procedures did not require testing of the onsite notification system, operability tests performed on the crossroads siren were not documented, emergency notification to the Designated Site Authority could have been delayed by up to an hour following classification because it was performed by staff in the emergency operations facility (EOF), and an inconsistency existed between the emergency plan requirement for evacuation of the exclusion area and its associated implementing procedures.

Attachment A, Items 2, 3, 5, and 6, respectively, provide information to correct and clarify these report statements. However, that information was not provided to the NRC before the inspection report was issued. During the regulatory conference you provided procedural requirements for testing the crossroads siren and following the conference you provided extensive documentation of crossroads siren operability tests. We also acknowledge that after further review and consideration of the information you presented at the regulatory conference, the emergency plan and implementing procedures are fully consistent regarding requirements for an exclusion area evacuation and that procedures direct the Security Communications Center to contact the Designated Site Authority when the Offsite Agency Coordinator is not present at the EOF. This corrected information was considered in reaching the conclusion that a violation of 10 CFR 50.54(q) occurred.

Attachment A to your letter provided additional views on the accuracy of four other statements in Inspection Report 50-397/01-008. The NRC concluded that all of the statements in Inspection Report 50-397/01-008 regarding the following facts were accurate based on the information that was available to the NRC at the conclusion of the inspection:

Item #1: The ability to hear the crossroads notification siren in the protected area.

An Energy Northwest siren technician stated that the crossroads siren: (1) could be heard outdoors on the east side of the protected area but was not audible on the west side due to the bulk of the turbine and reactor buildings, (2) would not be audible in vehicles, and (3) would not be audible around some equipment and near some outdoor activities which produced noise. Based on this statement, the NRC concluded that the crossroads siren could not be reliably heard throughout the entire protected area.

Item #4: The adequacy of testing methods for the crossroads siren.

Although your letter agreed that our statement was accurate concerning silent tests of the crossroads siren, you indicated that our statement was not complete regarding the overall siren testing program. We recognize that a full-function test of the crossroads siren was performed annually and that this test gave positive indication of siren operability. However, silent tests make up virtually all of the testing for this siren, with approximately 98% of all tests being silent tests. An Energy Northwest siren technician stated that the crossroads siren used an older control system than the system used to control emergency planning zone sirens and that this older system was less capable of providing telemetry data. Our statement did not intend to describe or characterize the annual full-function test; it was only intended to describe the data collected by the silent tests.

Item #7: The lack of methods for directing public evacuees for personnel monitoring.

We concluded that methods did not exist for directing public evacuees for personnel monitoring based on: (1) a lack of knowledge by emergency response organization members about the presence of the public, which could have resulted in actions not being taken to ensure that lessees were informed to report to the Energy Northwest Office Complex for radiological monitoring, (2) a conclusion that the WNP-1 Construction Site Emergency Evacuation and Response Plan was largely an industrial safety plan intended to apply to licensee personnel, (3) a determination that the Site

One security roadblock would not be established under some circumstances and/or would be relocated if required by radiological conditions, and (4) a conclusion that the sole opportunity for lessees to receive information was at the security roadblock.

Item #8: The degree to which security sweeps of the exclusion area would include active measures to warn lessees.

Your letter indicated that statements made by the emergency planning staff were taken out of context to conclude that security personnel would not take active measures to warn lessees to evacuate. Emergency planning staff were given an opportunity to fully describe the expectations and procedural requirements which applied to security officers conducting an exclusion area evacuation and were specifically requested to describe the circumstances under which active measures would be performed to locate and warn lessees. We concluded that a failure to automatically perform measures such as knocking on doors or entering lessee buildings could result in lessees not being properly informed to evacuate. We also concluded that in the absence of specific procedural guidance and training, security officer skills were not sufficient to ensure that a complete exclusion area evacuation would occur.

Attachment B to your letter presented your views on the accuracy of five statements in our Final Significance Determination letter of December 28, 2001, and the attached Notice of Violation. After reviewing the information your letter provided, we determined that the statements in our letter of December 28, 2001, and the attached Notice of Violation, were accurate.

Item #1: Availability of plant communications systems to lessees.

Other notification processes did not apply to lessees because they were not designed or intended to communicate with lessees. Lessees were not trained to respond to these systems. The Columbia Generating Station plant paging system and Gaitronics announcement systems were not tied to Site One systems, some systems (such as the site radio system) could not be used by any lessee, and the Site One building paging system could only notify lessees in some buildings.

Item #2: Training provided to emergency response organization members about the presence of members of the public in the exclusion area to ensure they were provided radiological monitoring.

Your letter agreed that our statement was accurate in that training about the presence of members of the public was not provided to emergency response organization members. You also concluded that our statement implied public evacuees would be refused admittance upon arrival at the Energy Northwest assembly area. In discussions with the inspector in April and May 2001, your emergency preparedness staff indicated that it was not Energy Northwest's intent to monitor members of the public at the Energy Northwest assembly area; however, at the November 26, 2001, regulatory conference you agreed that Energy Northwest was responsible for the radiological safety of the lessees.

Item #3: Requirements for the radiological monitoring of public evacuees as contained in the WNP-1 Construction Site Emergency Evacuation and Response Plan.

The WNP-1 Construction Site Emergency Evacuation and Response Plan required personnel to go home during a total site evacuation unless directed to an assembly area. The NRC concluded that "personnel" as used in the WNP-1 Construction Site Emergency Evacuation and Response Plan ("the Plan") referred to employees and contractors and not to lessees. The Plan also referenced "staging areas" (for example, as indicated on the diagram of page 8, and in the text on page 11), but did not clearly distinguish between an assembly area and a staging area, in that both are locations to which persons relocate during an emergency. The Plan did not describe the location of the assembly area to which personnel are required to evacuate during a total site evacuation and did not require radiological monitoring of any personnel once they arrived at the assembly area. The Plan did not assign responsibility for establishing or staffing the assembly area and did not reference the Columbia Generating Station Emergency Plan to ensure the assembly area was established.

The NRC concluded that the Plan was essentially an industrial safety plan which did not apply to lessees. The only explicit statement which pertained to lessees was the "Encompassing Statement" on page 3. The NRC determined that the following plan sections did not apply to lessees: medical emergencies, fire emergencies, hazardous material emergencies, bomb threats (and the associated checklist), explosive devices, civil disturbances, emergency organization, and instructions to emergency team members. In each of these cases, the Plan instructed personnel to respond by calling a plant number and/or establishing radio contact, actions which could not be performed by lessees. The Plan did not recognize an emergency response role for lessees or assign lessees as emergency team members. The Plan described hazardous materials, such as liquid petroleum, pressurized gasses, gasoline and diesel fuel, to which lessees did not have access, and failed to recognize that lessees might also use and store hazardous materials. The Plan directed that some emergency actions, such as building evacuation, evacuation to site staging area, and sheltering-in-place, be communicated by telephone paging, radio communication and Gaitronics paging. We determined that these communication methods could not be relied upon to inform lessees. Further, lessees reported that after attempting to implement the Plan (for example, for a medical emergency), Site One management informed them that these services were not provided to lessees.

Item #4: Circumstances under which the Site One security road block would not be established and/or would be relocated.

Your procedures did require the establishment of a Site One roadblock by security during a declared emergency. During discussions with the inspector, your emergency preparedness staff indicated that the officer was dispatched on an "as available" basis and that the officer would be removed in the event of a radiological release. Specific procedural guidance for the relocation of the security officer was not identified, nor were specific alternative locations identified to which the officer would be directed.

Item #5: Characterization of the requirement for call-tree notifications made by the Designated Site Authority.

During the regulatory conference conducted November 26, 2001, you discussed an expectation that the Designated Site Authority (DSA) make telephone contact with lessees during an exclusion area evacuation, and you provided examples of call lists maintained by the DSA. However, neither the WNP-1 Construction Site Emergency Evacuation and Response Plan, nor Site Wide Instruction 7.01, "Designated Site Authority," contained a written requirement to implement this call tree, and your letter did not identify any other requirement. We recognize that your current notification method consists of a combination of alerting mechanisms, including audible Site One sirens, direct phone notification, and security sweeps.

We concluded that because the emergency response organization was not trained about the public, and procedures did not address the public in sufficient detail, security officers may not have received instructions to ensure that lessees were directed for radiological monitoring, that insufficient staff and supplies could have been dispatched to the assembly area, and that the emergency response organization could have been unprepared for the arrival of lessees.

Because of the weaknesses noted in Inspection Report 50-397/01-008, security officers and the WNP-1 Emergency Team might not have been effective in warning lessees to evacuate; the Emergency Director and other emergency response organization members may not have exercised effective oversight to ensure notification to members of the public. We also determined that the effectiveness of methods for lessee evacuation were impaired because at least some Site One leases did not contain explicit contract provisions to require evacuation (reference PER 201-1614), Site One call-trees intended to notify lessees were not required by procedure, and the WNP-1 Emergency Plan largely did not apply to lessees.

Should you have any questions or comments about this letter, please contact Gail M. Good at (817) 860-8215 or Paul J. Elkmann at (817) 276-6539.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/ADAMS.html> (the Public Electronic Reading Room).

Sincerely,

//RA//

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-6-

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-7-

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