



# ENERGY NORTHWEST

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July 2, 2008  
GO2-08-099

10 CFR 2.201

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555-0001

Subject: **COLUMBIA GENERATING STATION, DOCKET NO. 50-397  
REPLY TO A NOTICE OF VIOLATION, EA-08-145**

Reference: EA-08-145, "Columbia Generating Station – NRC Inspection Report 05000397/2008008, Investigation Report 4-2008-003, and Notice of Violation", June 5, 2008.

Dear Sir or Madam:

Pursuant to 10 CFR 2.201, Energy Northwest hereby responds to the Notice of Violation transmitted via the reference above.

The attachment to this letter provides: (1) the reason for 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.

There are no new commitments being made. If you have any questions, please contact Mr. MC Humphreys, Licensing Supervisor at (509) 377-4025.

Respectfully,

DK Atkinson  
Vice President, Nuclear Generation & Chief Nuclear Officer

cc: EE Collins, Jr. – NRC RIV  
CF Lyon – NRC NRR  
RJ Caniano – NRC RIV  
NRC Senior Resident Inspector/988C

RN Sherman – BPA/1399  
WA Horin – Winston & Strawn

IEOI  
NRR

## **REPLY TO A NOTICE OF VIOLATION, EA-08-145**

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### **NOTICE OF VIOLATION EA-08-145**

#### **RESPONSE**

##### **1. Reason for the violation**

###### Restatement of Violation

Technical Specification 5.4.1.a states that written procedures shall be established, implemented, and maintained covering the applicable procedures recommended in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978. Regulatory Guide 1.33, Appendix A, Section 7.e (1), specifies procedures for "Access Control to Radiation Areas including a Radiation Work Permit System."

Columbia Generating Station Procedure GEN-RPP-04, "Entry into, Conduct in, and Exit from Radiologically Controlled Areas," Revision 14, states, in part, "Do not reach over, or cross contaminated boundaries without RP approval."

Contrary to the above, during repair of the HPCS-P-1 flange on June 16, 2007, a project manager instructed plant workers to reach across a contamination boundary without radiation protection approval.

###### Response to Violation

Energy Northwest accepts the violation.

###### Discussion

Energy Northwest (EN) agrees with the staff's characterization of this event as given in the Reference.

This issue was entered into the Employee Concerns Program (ECP) and received an extensive investigation including multiple interviews with all of the individuals involved and their respective management. The information contained in the ECP investigation was previously provided to John Oglesby, Special Agent, U.S. Nuclear Regulatory Commission, by the Energy Northwest Employee Concerns Manager on October 18, 2007.

The result of the ECP investigation was a conclusion that the Energy Northwest project manager provided directions to the contract employees under his supervision that directly contravened the Radiation Work Permit (RWP) and GEN-RPP-04 requirements and that these actions were a willful individual choice to violate Energy Northwest policy and procedures.

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### **2. Corrective steps taken and results achieved**

After the ECP investigation was completed, plant management offered the project manager the opportunity to resign his employment in lieu of termination. The project manager chose to resign. His final day of employment was September 7, 2007.

The Plant General Manager provided a site wide communiqué on October 4, 2007, entitled "Procedural Compliance, Deliberate Misconduct, and Full Disclosure." An excerpt from this communication states the following:

I expect all personnel to comply with the requirements of Site-Wide Procedure SWP-PRO-01, "Description and Use of Procedures and Instructions," and to report instances of non-compliance to their supervisors, through the Condition Report (CR) process, or through the use of the Employee Concerns Program. If these processes do not work for you, you are encouraged to report issues to the Nuclear Regulatory Commission.

There have been no additional willful violations of Technical Specification 5.4.1.a or Columbia Generating Station Procedure GEN-RPP-04 identified since full compliance was achieved.

### **3. Corrective steps to be taken to avoid further violation**

In addition to the above corrective actions, a revision was made to Employee Concerns Program (ECP) training for Managers and Supervisors to include a discussion of this specific event, focusing on the requirements of procedural compliance and full disclosure and the impacts thereto on 10 CFR 50.5, "Deliberate Misconduct."

### **4. Date when full compliance will be achieved**

Full compliance was achieved on October 12, 2007, when all corrective actions were completed.