UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

August 20, 2008

Mr. David Turner, Plant Manager
GE–Hitachi Nuclear Energy Americas, LLC
Vallecitos Nuclear Center
6705 Vallecitos Road
Sunol, California 94586

SUBJECT: NRC INSPECTION REPORT 070-00754/08-002

Dear Mr. Turner:

An NRC inspection was conducted on July 16-25, 2008, at your Vallecitos Nuclear Center site. This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations, and with the conditions of your license. The inspection included an examination of selected procedures and representative records, observations of activities, and interviews with personnel. The enclosed report presents the results of that inspection. The inspection determined that you were conducting activities in accordance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC website at http://www.nrc.gov/reading-rm/adams.html. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Should you have any questions concerning this inspection, please contact Mr. Emilio M. Garcia, Health Physicist, at (530) 756-3910, or the undersigned at (817) 860-8197.

Sincerely,

/RA/

Jack E. Whitten, Chief
Nuclear Materials Safety Branch B

Docket No.: 070-00754
License No.: SNM-960

Enclosure:
NRC Inspection Report 070-00754/08-002

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SUNSI Review Complete: EMG ADAMS: ■Yes □No Initials: EMG
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U.S. NUCLEAR REGULATORY COMMISSION
REGION IV

Docket No.:	070-00754
License No.:	SNM-960
Report No.:	070-00754/08-002
Licensee:	GE–Hitachi Nuclear Energy Americas, LLC
Facility:	Vallecitos Nuclear Center (VNC)
Location:	Sunol, California
Dates:	July 16-25, 2008
Inspector:	Emilio M. Garcia, Health Physicist
Approved By:	Jack E. Whitten, Chief Nuclear Materials Safety Branch B
Attachment:	Supplemental Inspection Information

ENCLOSURE

EXECUTIVE SUMMARY

Vallecitos Nuclear Center
NRC Inspection Report 070-00754/08-002

This routine, announced inspection included a review of radioactive waste management, transportation, operator training, criticality safety, maintenance and surveillance testing, environmental protection, emergency preparedness, and fire protection. In summary, the licensee was conducting activities in accordance with regulatory requirements.

Radioactive Waste Management

- The licensee maintained a program to properly characterize and classify radioactive waste as required by 10 CFR 61.55 and 61.56 (Section 1).

Transportation Activities

- The licensee implemented and maintained a transportation program for radioactive materials and radioactive waste in accordance with NRC and U.S. Department of Transportation regulations (Section 2).

Operator Training/Retraining

- The licensee provided required criticality and radiation safety training during 2007-2008 as required by regulations and the license (Section 3).

Nuclear Criticality Safety

- Radiological controls, housekeeping and fire protection practices were being implemented in accordance with regulatory and license requirements. The licensee continued to use the Engineering Material Services record locator system to account for and to control the location of special nuclear material (Section 4).

Maintenance and Surveillance Testing

- Calibration and testing of the criticality alarm system was performed in accordance with license requirements. The licensee used a computerized database to track preventative maintenance. All preventive maintenance had been performed with no items in backlog (Section 5).

Environmental Protection

- The licensee submitted its 2007 Annual Report for Effluent Monitoring and Environmental Surveillance Programs to the NRC in a timely manner. All required samples had been collected, and no sample result exceeded any license or regulatory limit. No adverse trends or sample results were identified (Section 6).

Emergency Preparedness

- The licensee continued to maintain its emergency preparedness program as required by the license (Section 7).

Fire Protection

- The licensee had established and maintained a fire protection program that included guidance and instructions for fire fighting, fire prevention, fire protection equipment, alarm systems, and emergency equipment. Fire protection equipment was maintained, and personnel were trained and drilled (Section 8).

- A small fire in the Vallecitos Boiling Water Reactor revealed a number of potential weaknesses in the licensee's fire protection program. The lessons learned from this event were incorporated into the licensee's audit tracking system to ensure implementation of the corrective actions (Section 8).

Report Details

Summary of Plant Status

During the inspection, activities in progress included research of unirradiated and irradiated uranium reactor fuel and irradiated hardware.

1 Waste Management (IP 84850, IP 84900, and IP 88035)

1.1 Inspection Scope

The inspector reviewed the licensee's practices for radioactive waste classification and storage.

1.2 Observations and Findings

Records maintained by the licensee indicated that during 2007, the licensee made 22 shipments of radioactive material wastes. As of July 22, 2008, the licensee had made 18 shipments of radioactive wastes during 2008. These radioactive waste shipments went to one of two disposal sites. Most of the shipments involved radioactive materials that had been possessed under other licenses rather than SNM-960.

The inspector selected five shipment records for review. These records consisted of five shipments of materials originating from the Hot Cells in Building 102 where the majority of SNM-960 license activities occurred. The records included copies of the Uniform Low-Level Radioactive Waste Manifest, shipping papers and container and waste description, NRC Forms 540 and 541. The manifests included the required information. These records also included the calculations made to determine the waste classification. The values used for class limits were as specified in 10 CFR 61.55. The records also indicated that the licensee had received prior approval from the disposal site operator for shipments of the waste and had provided a copy of the waste manifests to the operator prior to shipment. The licensee had tracked the shipments from departure from the licensee site to receipt and eventual disposal.

Records indicated that annual radioactive waste handling training was provided in October 31, 2007. The training included an open-book twenty question written quiz.

The inspector toured the licensee's waste storage locations. The licensee had implemented measures to secure from unauthorized removal or access the stored licensed materials. The radioactive material containers had durable and clearly visible labels and markings. At the time of the inspection, the licensee had approximately 90 containers awaiting disposal. Most of these containers had been characterized and were ready for shipment and disposal. The Supervisor, Materials Laboratory Operations stated that it was the licensee's intention to dispose of all but nine of the waste containers by the end of September 2008.

1.3 Conclusions

The licensee maintained a program to properly characterize and classify radioactive waste as required by 10 CFR 61.55 and 61.56.

2 Transportation (IP 86740)

2.1 Inspection Scope

The inspector interviewed cognizant personnel and reviewed shipping records to determine if radioactive waste shipments were being conducted in compliance with applicable NRC and U.S. Department of Transportation regulations.

2.2 Observations and Findings

The inspector reviewed records maintained by the licensee for radioactive material shipments that had been made since this area was last inspected in September 2007. The Supervisor, Materials Laboratory Operations stated that all shipments made from the site had been performed under the licensee's State of California license, since they involved mostly material possessed under that license. The inspector reviewed five selected records of waste shipments as noted in Section 1.2 above. The records reviewed included copies of the shipping papers which indicated that the shipments had been properly classified, marked, and labeled. The shipping papers included emergency response guidance to the vehicle operators as well as a 24-hour staffed telephone number. The licensee had electronic access to the recipient's licenses to receive and possess the radioactive waste material. The licensee also maintained copies of the applicable NRC and U.S. Department of Transportation regulations.

The licensee maintained records indicating that individuals involved with hazardous material transport had received training and retraining every 2 years. This training was conducted in part to meet the 3-year training requirements of the U.S. Department of Transportation's 49 CFR 172.700 regulations. The most recent function specific training occurred during the last quarter of 2006. A recognized radioactive materials consultant had presented this daylong training. The training included a thirty question written test.

The licensee had received the required permits from the States to which the wastes were transferred, and the licensee had received prior approval from the States for the transfer and disposal of the wastes.

2.3 Conclusions

The licensee implemented and maintained a transportation program for radioactive materials and radioactive waste in accordance with NRC and U.S. Department of Transportation regulations.

3 Operator Training/Retraining (IP 88010)

3.1 Inspection Scope

The inspector reviewed the licensee's implementation of its required training program.

3.2 Observations and Findings

10 CFR 19.12 specifies the areas of instruction that occupationally exposed individuals must receive. Further, Section 7.3 of Appendix A to the license application requires radiation safety training. This training is required for all new employees working in

radiation areas or radioactive material areas. In addition, the licensee committed to provide refresher training annually. The licensee used a GE-Hitachi Energy computer system to track training requirements and completion. This computer system was called Training Tracker. The inspector reviewed records maintained by the licensee and noted that the licensee was providing refresher training to its occupationally exposed individuals.

The inspector reviewed the training matrix and confirmed that all required radiological safety training, including refresher training, had been presented during 2007. The Radiation Protection Fundamentals Refresher training had been presented on January 30, 2008. A review of the records indicated that current staff members had attended the applicable training classes. The training included written examinations as appropriate.

Section 5.8 of Appendix A of the license application required criticality safety training. The inspector confirmed that the licensee presented criticality safety training to applicable workers on September 26, 2007. In addition, the licensee also presented a session on special nuclear material (SNM) accountability. These training sessions included written examinations.

3.3 Conclusions

The licensee provided required criticality and radiation safety training during 2007-2008 as required by regulations and the license.

4 Nuclear Criticality Safety Program (IP 88020)

4.1 Scope of Inspection

The inspector conducted tours of the site to observe activities in progress and to determine whether risk-significant fissile material operations were being conducted safely and in accordance with regulatory requirements.

4.2 Observations and Findings

The inspector conducted tours of the gallery hot cells, the hillside storage, and Building 103. The inspector conducted independent radiological surveys using a Ludlum Model 2401-P survey meter (NRC No. 21190G, calibration due date of September 21, 2008). Radiological controls, including postings and barriers, were in place. Good housekeeping and fire protection practices were noted in all areas toured.

During a tour of the cell gallery, the inspector observed a demonstration of the Engineering Material Services record locator. This system was used by the licensee to account and control the location of SNM.

4.3 Conclusions

Radiological controls, housekeeping and fire protection practices were being implemented in accordance with regulatory and license requirements. The licensee continued to use the Engineering Material Services record locator system to account for and to control the location of SNM.

5 Maintenance and Surveillance Testing (IP 88025)

5.1 Inspection Scope

The inspector reviewed the maintenance and surveillances of the criticality alarm system and reviewed the preventative maintenance program for other site components.

5.2 Observations and Findings

a. Criticality Alarm System

A criticality accident monitoring system is required by 10 CFR 70.24(a)(1). This regulation states that the monitoring system shall be capable of detecting a criticality that produces an absorbed dose in soft tissue of 20 rads of combined neutron and gamma radiation at an unshielded distance of 2 meters from the reacting material within one minute. Section 5.9 of Appendix A to the license application also requires criticality monitoring. Details of the detection system are provided in Section 3.8.1 of Appendix B to the license application.

The licensee used two sets of three gamma radiation detectors as criticality monitors. The inspector observed the two areas that were continuously monitored by criticality alarms. The inspector confirmed that the monitors were installed in the locations specified in the NRC-approved license application.

The licensee conducted monthly tests of the criticality alarms to verify operability. The monitors were documented as fully functional at that time of the inspection. Records reviewed by the inspector indicated that the criticality monitors had been tested monthly. Records maintained by the licensee documented that annual calibrations had been performed on each of the two systems. The licensee's Instrument Maintenance Procedure 3.5.3, Criticality Detector Calibration, was used to perform the criticality alarms calibrations.

b. Preventative Maintenance

The licensee used a computerized database to track preventative maintenance actions. The inspector reviewed printouts of selected items tracked by the database. These items included the Building 102A Emergency Power Generator, hot cells' negative air pressure system, hillside bunker exhaust fan, Security Building Emergency Power Generator, and Cell Doors Interlock. Records review indicated that as of July 25, 2008, all preventive maintenance had been preformed, with no items in backlog.

5.3 Conclusions

Calibration and testing of the criticality alarm system was performed in accordance with license requirements. The licensee used a computerized database to track preventative maintenance. All preventive maintenance had been performed with no items in backlog.

6 Environmental Protection (IP 88045)

6.1 Inspection Scope

The inspector reviewed the licensee's implementation of the environmental protection program to ensure compliance with license and regulatory requirements.

6.2 Observations and Findings

The environmental monitoring program requirements are provided in Section 10 of Appendix A to the license application. The program consisted of gaseous effluent, liquid effluent, groundwater, stream bottom (sediment), and vegetation sampling. License Condition S-6 requires the licensee to provide a copy of the annual report to the NRC summarizing the effluent and environmental monitoring programs. The Annual Report 2007 for Effluent Monitoring and Environmental Surveillance Programs was originally submitted on February 29, 2008. On May 2, 2008, the report was updated to include additional parameters monitored to demonstrate compliance with NRC and California radioactive materials licenses. The inspector reviewed the updated report.

The licensee conducted an analysis of the dose to potential members of the public from gaseous effluents using the COMPLY computer code. The results of the analysis indicated that for calendar year 2007 the projected dose at the property line was 0.8 millirems for the year from all emissions and 0.014 millirems per year from radioiodine. These exposures were below the 10 millirems per year limit stipulated in 10 CFR 20.1101(d).

The inspector noted that all required samples had been collected and no sample result exceeded any license or regulatory limit. No adverse trends or sample results were identified. The licensee concluded that, based on the analytical results of radiological samples collected from locations on- and off-site during the reporting period, the Vallecitos Nuclear Center (VNC) was in compliance with all licenses issued by the NRC. The inspector agreed with this conclusion.

The licensee had four wells from which ground water samples were collected and analyzed on a quarterly basis. Samples from one well were analyzed for tritium. Monthly composite liquid effluent samples were also analyzed for tritium. These results were reported in the Annual Report 2007 for Effluent Monitoring and Environmental Surveillance Programs. The reported values for ground water ranged from 661 to 1070 picocuries per liter of tritium, and the composite liquid effluent values ranged from "not detected" to 804 picocuries per liter of tritium. These reported values were consistent with those reported for previous years and were below the 10 CFR Part 20, Appendix B, effluent concentration limit of 1,000,000 picocuries per liter of tritium and the U. S. Environmental Protection Agency drinking water standard of 20,000 picocuries per liter of tritium.

6.3 Conclusions

The licensee submitted its 2007 Annual Report for Effluent Monitoring and Environmental Surveillance Programs to the NRC in a timely manner. All required samples had been collected, and no sample result exceeded any license or regulatory limit. No adverse trends or sample results were identified.

7 Emergency Preparedness (IP 88050)

7.1 Inspection Scope

The objective of this portion of the inspection was to ascertain whether the licensee's emergency preparedness program was being maintained in a state of operational readiness.

7.2 Observations and Findings

Although the licensee is not required by 10 CFR 70.22(i) to maintain a radiological emergency plan for SNM activities, the licensee committed in Section 4.5 of Appendix A to License SNM-960 to establish and maintain site emergency procedures. The inspector reviewed the licensee's emergency preparedness program to ensure that the program was being maintained in a state of operational readiness.

a. Program Changes

The licensee had created a new position, Emergency Preparedness Manager. The individual assigned to this position transitioned to this assignment at the beginning of the second calendar quarter 2008.

Three of the fourteen emergency procedures and two of the four emergency preparedness instructions were revised since this area was last inspected in September 2007. The inspector reviewed the revised procedures and concluded that the changes did not decrease the overall effectiveness of the emergency preparedness program. The inspector referred minor editorial issues to the Emergency Preparedness Manager for his review.

b. Implementing Procedures

Emergency procedures and emergency implementing instructions were prepared by the Emergency Preparedness Manager and approved by the Manager, Regulatory Compliance and Environmental Health and Safety. The emergency procedures and instructions provided the guidance for the detection and proper classification of accidents, mitigation of the consequences of accidents, assessment of releases, personnel accountability, notification and coordination, and authority for initiating evacuation alarms.

Controlled copies of the procedures were maintained in the licensee's intranet online but paper copies were available at the Radiation Monitoring Technician, Facilities Protection (Monitor 4), security office and the management suite. Although not a controlled copy, the copy at the management suite was being maintained up-to-date with the latest procedure revisions. On July 24, 2008, the inspector noted that the copies in the Radiation Monitoring Technician, Facilities Protection (Monitor 4) office, and the Central Alarm Station had not been updated. The inspector also observed that the electronic copy of the Table of Contents had not been updated to reflect the changes in procedures that occurred in June 2008. The licensee opened Environmental Health and Safety tracking system (ATS) item to monthly verify that the Site Emergency Procedures books at the Emergency Preparedness Coordinator, executive suite, and Central Alarm Station

were updated and maintained. The licensee intended to remove and no longer maintain the copy in the Radiation Monitoring Technician, Facilities Protection (Monitor 4) office.

c. Training and Staffing

The licensee provided annual General Emergency Response training for all personnel that had unescorted access to the VNC. The purpose of this training was to provide guidance and instruction for the protection of people, the environment, plant and production in the event of an emergency situation or civil disorder. This training was provided during a safety meeting conducted on March 26, 2008. A ten question written quiz was given after the training. Those that did not attend the safety meeting were provided copies of the written material and were given the quiz. Records maintained by the licensee indicated that as of July 22, 2008, all of the personnel with unescorted access had successfully completed this training.

During the above-discussed safety meeting, training was also provided to the building emergency team members. Subsequent to the training, a ten question written quiz was given. Those that did not attend the safety meeting were provided copies of the written material and were given the quiz. As of July 22, 2008, all building emergency team members for buildings under this license had completed their annual refresher training.

Spill/fire team training on the use of fire extinguishers was provided on November 15, 2007. Seven of the designated spill/fire team members participated in the hands on training on the usage of fire extinguishers. On March 4, 2008, a site tour of fire systems through the facility was conducted as the quarterly training. Seven of the designated spill/fire team members participated in this tour. The response to a mercury spill, broken thermometer, on June 26, 2008, was credited as the quarterly spill/fire team training. Four of the spill/fire team members responded.

d. Offsite Support Agencies

Written agreements have been made with the Alameda County Sheriff's Department and the ValleyCare Medical Center, agencies specified in the emergency procedures or instructions. These agreements were renewed during 2007. The Alameda County Sheriff's Department would be used for contacting the California Department of Forestry for response to fires and the California Highway Patrol for highway control, if needed.

The licensee maintained a number of telephone lists of contacts as Attachment B to Site Emergency Procedure A-5, Emergency Control Procedure-General. These lists of telephone numbers were maintained in a spreadsheet with tabs for each list. Tab 2 was the Off-Site Agencies Call list. These lists were updated at least quarterly. The inspector verified that the latest updates were available at the Central Alarm Station.

e. Drills and Exercises

The inspector reviewed records of two emergency drills conducted during 2008. Drills conducted in 2007 had been previously reviewed by the inspector. The drill packages included drill objectives, data sheets, drill auditor's time log, and drill critiques. These drills included evacuations from at least one building, emergency response organization response, personnel accountability, testing of the onsite notification system, and other

onsite communications. Lessons learned from these drills were identified as action items and were being addressed.

7.3 Conclusions

The licensee continued to maintain its emergency preparedness program as required by the license.

8 Fire Protection (IP 88055)

8.1 Inspection Scope

The inspector reviewed the licensee's fire protection program for compliance with procedural requirements.

8.2 Observations and Findings

The licensee's fire protection program was included in the Site Emergency Procedures, Procedure C-5, Fire Protection Plan. This procedure provided guidance and instructions for fire fighting, fire prevention, fire protection equipment, alarm systems, and emergency equipment for the VNC facilities. The licensee was no longer maintaining pre-fire plans but was instead informing outside responders by annually providing copies of its Hazardous Materials Business Plan to the appropriate agency. The licensee had a designated fire marshall and a fire team lead by a fire chief and assistant fire chief. This team was intended to fight incipient-stage fires, but for larger fires, the assistance from off-site fire fighting agencies would be requested.

The inspector reviewed records maintained by the licensee that indicated that training was being conducted on a quarterly basis, with the last training being conducted on June 26, 2008. Representatives from the California Division of Forestry, the principal fire-fighting agency for the site, last toured VNC in the May 2008. Further, fire drills were conducted at least annually, and the last drill was performed on June 14, 2007.

The licensee maintained fire equipment that included automatic fire sprinklers, fire hydrants, sprinkler alarms, hose stations, a mobile equipment platform, portable fire extinguishers, and self contained breathing apparatus. The licensee maintained a monthly inspection program to check the status of this equipment. The inspector observed the fire equipment during a tour of the site. The equipment observed appeared to be ready for use.

On April 23, 2008, a fire occurred in the lower half of the Vallecitos Boiling Water Reactor (VBWR). Although VBWR has a separate NRC license, the fire prevention and respond procedures were the same as those for the NRC's SNM-960 license. The incident was described in a report to the NRC dated May 2, 2008, and the licensee's Incident Investigation Report 2008-04, Fire in VBWR Containment Investigation. The reports described the incident and provided information regarding the fire consequences and causes. The fire resulted from slag falling from high-powered torch cutting in the upper level of VBWR onto plastic sheeting surrounding a 55-gallon drum containing 108 cotton filters. These filters were used to filter out asbestos during cleanup of the facility. The May 2, 2008, report noted that the material smoldered for several minutes before being extinguished, but no open flames were observed. The plastic surrounding the

drum and the plastic bags surrounding 36 of the filters were damaged. The drum itself was not damaged. Area and personnel air samples indicated no abnormal radiological results. The report concluded that there "was no radiological release to the workers in the area or the public."

Six Audit Tracking System (ATS) follow-up items were opened as a result of this event. At the time of the inspection, three of the six items remained open.

Based on interviews with the Emergency Preparedness Manager and the VBWR Liability Reduction Project Manager, the inspector noted that the sounding the alarm requirement of procedure C-5 was not followed. Also, the expectations of the actions to be taken by a fire watch were unclear. The applicable procedure in this instance for fire watches was Facility Maintenance Procedure 1.17, Fire Prevention in Use of Cutting and Welding Processes.

The licensee opened two additional ATS follow-up items, the first to review the Facility Maintenance Procedure 1.17, for possible revision. The second ATS was issued to include an Observations section to the Investigation Report. The Observations section provides the reader with a detailed history of what happened during the event. The inspector concluded that the licensee was addressing the lessons learned from this event.

8.3 Conclusions

The licensee had established and maintained a fire protection program that included guidance and instructions for fire fighting, fire prevention, fire protection equipment, alarm systems, and emergency equipment. Fire protection equipment was maintained, and personnel were trained and drilled.

A small fire in the VBWR revealed a number of potential weaknesses in the licensee's fire protection program. The lessons learned from this event were incorporated into the licensee's audit tracking system to ensure implementation of the corrective actions.

9 Exit Meeting Summary

The inspector presented the inspection results to the Manager, VNC and other members of licensee staff at the exit meeting on July 25, 2008. The licensee did not identify as proprietary any information provided to, or reviewed by, the inspector.

SUPPLEMENTAL INSPECTION INFORMATION

PARTIAL LIST OF PERSONS CONTACTED

J. Ayala, Specialist Radiation Monitoring
S. French, Security Program Manager / Emergency Preparedness Manager
J. Grinold, Manager, Facilities Maintenance
C. Hill, Supervisor, Materials Laboratory Operations
L. Mahlahla, Manager, Regulatory Compliance and Environmental Health and Safety
B. Neri, Principal Facilities Maintenance Technician (Fire Chief)
C. Saunders, Principal Irradiation Technician
H. Stuart, Specialist Radiological Engineer
D. Turner, Manager, VNC

INSPECTION PROCEDURES USED

IP 84850, Radioactive Waste Generator
IP 84900, Radioactive Waste Storage
IP 86740, Transportation
IP 88010, Operator/Training Retraining
IP 88020, Nuclear Criticality Safety
IP 88025, Maintenance and Surveillance
IP 88035, Radioactive Waste Management
IP 88045, Environmental Protection
IP 88050, Emergency Preparedness
IP 88055, Fire Protection

ITEMS OPENED, CLOSED OR DISCUSSED

Opened

None

Closed

None

Discussed

None

LIST OF ACRONYMS USED

ATS	Audit Tracking System
BET	Building Emergency Team
CFR	Code of Federal Regulations
GE	General Electric
IP	NRC Inspection Procedure
SNM	Special Nuclear Material
VBWR	Vallecitos Boiling Water Reactor
VNC	Vallecitos Nuclear Center