



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

February 18, 2011

Mr. Kevin Bronson  
Site Vice President  
Entergy Nuclear Northeast  
James A. FitzPatrick Nuclear Power Plant  
Post Office Box 110  
Lycoming, NY 13093

RI-2009-A-0136

Subject: NRC Office of Investigations Case No. 1-2010-012

Dear Mr. Bronson:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation on January 5, 2010, based on licensee-supplied information, to determine whether an instructor at FitzPatrick deliberately violated procedures governing self contained breathing apparatus (SCBA) training, and whether SCBA training records were subsequently falsified. Based upon the evidence developed during the investigation, the NRC did not substantiate that the instructor willfully violated procedures or falsified training records. Rather, the NRC concluded that the instructor's actions were the result of poor judgment.

OI determined that the instructor deviated from the training procedure when he/she did not require students to don an SCBA mask; instead, donning a mask was simulated and/or discussed. The instructor also informed students that dental work, mask changes, or changes to their faces could affect proper fit. In addition, the students were required to visually inspect the mask, and the instructor showed the students how to hook up to the mask and use the toggle switch to lock it into position. OI noted that the exception to don the mask was made for all students except for the firefighters, who were expected to simulate actual conditions and were made to fully don the mask and connect to the air tank.

OI determined that it was the instructor's intent to ensure that all non-firefighters had all of the skills necessary to don the SCBA and successfully operate it in emergency situations requiring personnel to use an SCBA. The instructor required everyone to put on the SCBA equipment, and the only part that was not performed was donning the mask. In addition, OI noted that the instructor believed that the students would be donning the mask as part of their annual quantitative fit test.

Nevertheless, the NRC determined that a licensee identified violation occurred when the instructor failed to have students don the SCBA mask, and completed and signed Attachment 26 to FPF-GET-RPT, Revision 1, "General Employee Training Respiratory Protection Practical Factors Guide." The safety significance of the violation was evaluated by the NRC and found to be minor because 98% of the students who were re-tested passed, and no actual safety consequences occurred as a result of the violation. This matter had been identified by your staff, entered into the FitzPatrick Plant corrective action program and corrected. Minor violations represent items of very low safety significance and are not subject to formal enforcement action or documentation by the NRC. Therefore, this minor violation will not be documented in an inspection report and no further regulatory action is planned.

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No response to this letter is required. Should you have any questions regarding this letter, please contact Mr. M. Gray of my staff at (610) 337-5209.

Sincerely,

/RA/ Clifford for

Darrell J. Roberts, Director  
Division of Reactor Projects

Enclosure: As Stated

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