



November 12, 2014

2014-0068

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

**Subject: Reply to a Notice of Violation Inspection Report No. 50-128/2014-201
(License R-83)**

This memo represents the reply from the Texas A&M Engineering Experiment Station (TEES) Nuclear Science Center (NSC) regarding the Notice of Violation (NOV) received as part of the routine inspection report No. 50-128/2014-201. The U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection of the NSC on September 15-18, 2014. On September 18, 2014 The NRC discussed the preliminary findings with NSC and TEES personnel.

As discussed at the inspection outbrief, the NSC welcomes the scrutiny that comes with our current situation. We deeply regret the conditions that contributed to the NOV and are working to rectify underlying factors to achieve a new level of performance. This is a serious matter and the following items review the violation and the steps that have been taken to advance the closure of the matter.

The notice of violation documented in the report is as follows:

Technical Specifications Section 6.1.3.a.2 states that "The minimum staffing when the reactor is not secured shall be as follows: a licensed reactor operator or senior reactor operator shall be in the control room."

Contrary to the above, on July 25, 2014, the licensed operator on duty left the control room for a period of two and one-half minutes while the reactor was operating at one megawatt.

The following items present our response to the four topics required by the NOV:

- (1) The reason for the violation, or, if contested, the bases for disputing the violation or severity level

This violation occurred because of lack of operational awareness in the control room staff. It was determined that current procedures did not require signatory transfer of responsibility for control room operators. This method of operations was in place at the NSC for several decades and, while it was never violated before, it did enhance the potential for operational transgression.

- (2) The corrective steps that have been taken and the results achieved

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In response to the noted violation, a number of steps were taken as a result of this transgression.

1. On the day of the event, the licensed operator on duty was suspended from performing licensed duty while the NSC conducted an internal investigation and initiated retraining.
2. To facilitate and drive home the retraining requirement designed by NSC management, the licensed operator on duty who left the control room unstaffed prepared and conducted training on Technical Specifications Section 6 for all licensed operators at the NSC.
 - a. Following the completion of this training exercise on September 4, 2014, the suspension ended on that date.
3. The NSC Director approved a revised administrative procedure requiring the licensed operator on duty to also be the licensed operator of record in the log book. This procedure results in an increased awareness among control room staff of who holds immediate responsibility for fulfilling control room staffing requirements.
4. The Texas A&M University System (TAMUS) and TEES initiated a compliance audit that is ongoing that has included a review of these corrective actions. The efficacy of these actions will be monitored by TEES leadership and the University Reactor Safety Board.

These corrective steps are intended to achieve increased awareness among control room staff and to clarify the identity of the responsible licensed operator at all times.

(3) The corrective steps that will be taken

The new administrative sign-in procedure was implemented on September 29, 2014 with a 60 day trial period to work through implementation challenges. This procedure will be reviewed in mid-November by comprise seeking input from the licensed operators and management staff at the NSC regarding lessons learned about the effectiveness of the procedure. Recommended improvements or modifications will be evaluated and incorporated into the final procedure. The procedure will be implemented in final form effective November 28, 2014.

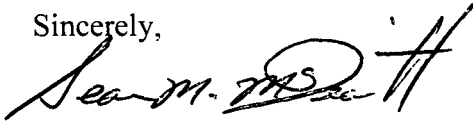
(4) The date when full compliance will be achieved

While we are currently operating in full compliance with technical specifications and the new sign-in procedure, the review of the procedure is under way and the final version will not be effective until November 28, 2014. However, since that date falls on a holiday, the effective date that the NSC will begin operations the new procedure will be December 1, 2014. That is the date when we will be able to confirm with documentation that we are in full compliance.

As I indicated at the inspection outbrief, I regard this to be a significant matter worthy of the attention being focused on it. We welcome additional input and recommendations to

further improve operations at the NSC. If you have any questions or comments, please contact me at mcdeavitt@tamu.edu or 979-845-7551 (NSC Phone).

Sincerely,

A handwritten signature in black ink, appearing to read "Sean M. McDeavitt". The signature is fluid and cursive, with a large initial "S" and "M".

Sean McDeavitt
Director, Nuclear Science Center

Xc: 2.11/central file
Director, Office of Nuclear Reactor Regulation
Mike Morlang, U.S. NRC Inspector