

August 26, 2015

EA-13-188

Mr. David Heacock
President and Chief Nuclear Officer
Dominion Resources
5000 Dominion Boulevard
Glen Allen, Virginia 23060-6711

SUBJECT: CONFIRMATORY ORDER RELATED TO NRC REPORT NO.
05000336/2015201 AND OI REPORT 1-2012-008; MILLSTONE POWER
STATION UNIT 2

Dear Mr. Heacock:

The enclosed Confirmatory Order is being issued to Dominion Nuclear Connecticut, Inc. (DNC), as a result of an Alternative Dispute Resolution (ADR) session. The enclosed commitments were made by DNC, as part of a settlement agreement between DNC and the U.S. Nuclear Regulatory Commission (NRC) concerning apparent violations of NRC requirements, as discussed in the enclosure to our letter dated April 29, 2015.

Our April 29, 2015, letter provided you with the results of an investigation conducted by the NRC's Office of Investigations to determine if DNC staff at Millstone Nuclear Power Station (Millstone) deliberately violated NRC requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.59, "Changes, Tests, and Experiments," when implementing changes to documents related to the Millstone Unit 2 chemical and volume control system (CVCS) charging pumps and spent fuel decay time limits. The investigation also evaluated whether DNC staff deliberately submitted inaccurate and incomplete information to the NRC pertaining to these changes.

Our letter also informed you that of the three apparent violations identified, two were being considered for escalated enforcement action in accordance with the NRC's Enforcement Policy and provided you with the option of: (1) providing a written response to the violations; (2) attending a Predecisional Enforcement Conference; or (3) requesting ADR with the NRC.

In response to our letter, DNC requested ADR. An ADR mediation session was held on July 14, 2015 and during two follow-up teleconferences on July 16 and July 24, which resulted in a preliminary settlement agreement. The elements of the preliminary agreement were formulated and agreed to at the adjournment of the July 24, 2015, teleconference.

DNC agreed that a Confirmatory Order would be issued in settlement of the apparent violations in order to avoid further action by the NRC. In light of the corrective actions DNC has taken or agreed to take, as described in the Confirmatory Order (Enclosure 1), the NRC is satisfied that its concerns will be addressed by making your commitments legally binding. As evidenced by the executed "Consent and Hearing Waiver Form" (Enclosure 2), dated August 20, 2015, DNC agreed to the issuance of the Confirmatory Order.

Pursuant to Section 223 of the Atomic Energy Act of 1954, as amended, any person who willfully violates, attempts to violate, or conspires to violate, any provision of this Confirmatory Order shall be subject to criminal prosecution, as set forth in that section. Violation of this Confirmatory Order may also subject the person to civil monetary penalties.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, along with its enclosures, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The Confirmatory Order will be published in the Federal Register. The NRC also publishes Confirmatory Orders on its Web site under Significant Enforcement Actions at <http://www.nrc.gov/about-nrc/regulatory/enforcement.html>.

Sincerely,

/RA/

Scott A. Morris, Director
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

Docket No.: 50-336
License No.: DPR-65

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Sincerely,

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Scott A. Morris, Director
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