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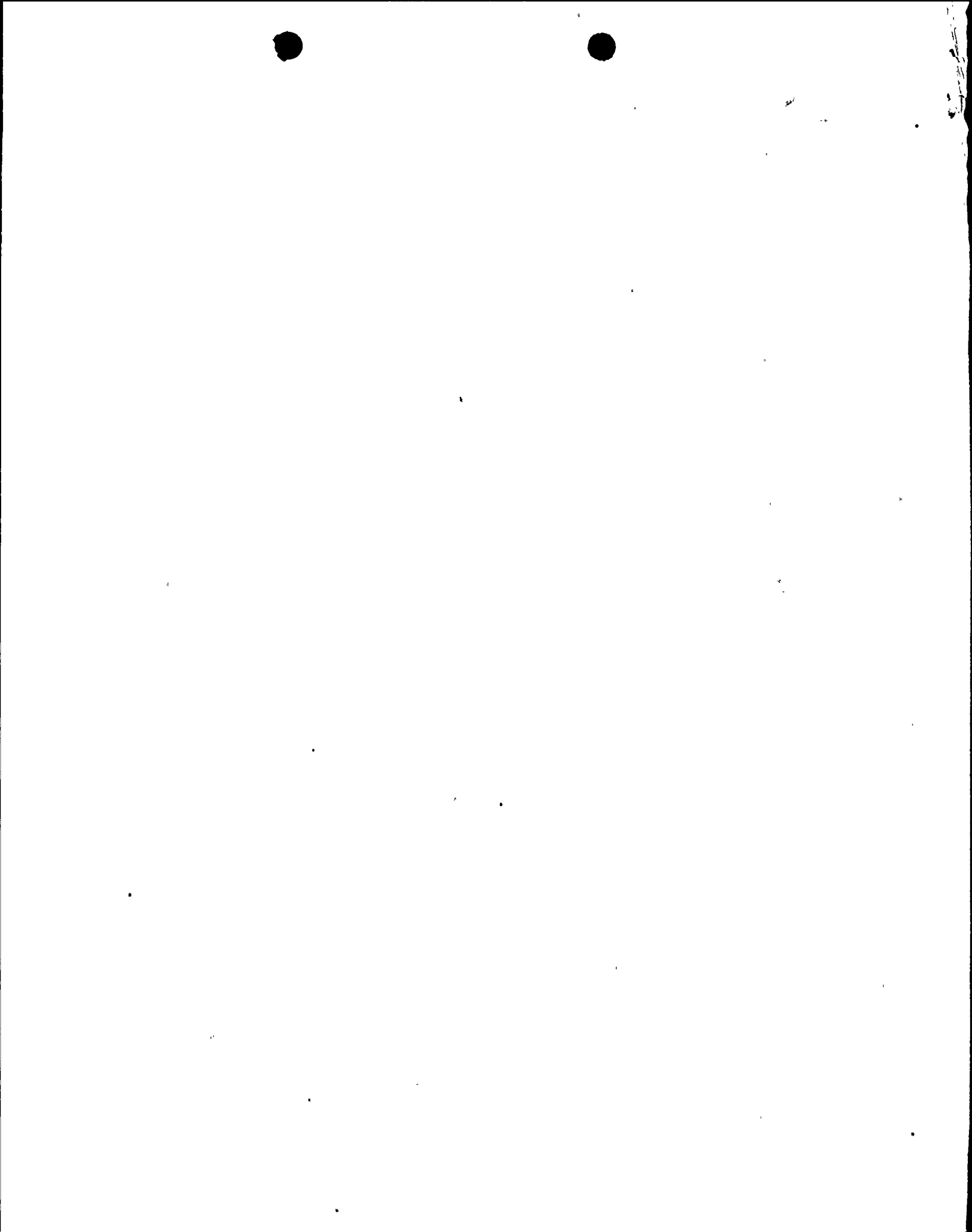
SUBJECT: Responds to NRC 870813 ltr re violations & proposed
 imposition of civil penalty. Corrective actions: Technical
 Specialist-Radiation Protection position filled by person w/
 experienced in radioactive matl shipment & development.

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September 10, 1987
NMP1L 0181

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Re: Reply to a Notice of Violation
Nine Mile Point Unit 1
Docket No. 50-220
DPR-63

Gentlemen:

Your letter of August 13, 1987 forwarded a Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). In accordance with 10CFR2.201, find attached Niagara Mohawk's Response to the Notice of Violation. By separate letter, Niagara Mohawk is remitting the civil penalty.

Niagara Mohawk has taken extensive actions to resolve each violation discussed in the Notice of Violation and to develop or enhance programs to prevent recurrence. The attached response addresses the specific corrective actions and preventative actions we have taken.

In your letter you expressed concern that the contamination of an individual indicated existence of dispersible material. We feel the corrective actions taken will lessen the possibility of a worker becoming contaminated and will also mitigate the possible spread of contamination during similar work activities.

In summary, Niagara Mohawk recognizes the importance of the resolution of the matters raised by this Notice of Violation. We believe our corrective actions will prevent recurrence and strengthen our overall radioactive material shipping program at Nine Mile Point.

Very truly yours,



T. E. Lempges
Vice President

TEL:svm
Attachment
(9421I)

Xcs: Regional Administrator, Region I
W. A. Cook, Resident Inspector

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NIAGARA MOHAWK POWER CORPORATION

NINE MILE POINT UNIT NO. 1

DOCKET NO. 50-220

DPR-63

REPLY TO A NOTICE OF VIOLATION

DATED AUGUST 13, 1987



VIOLATION 1

10CFR71.5(a) prohibits delivery of licensed material to a carrier for transport unless the licensee complies with applicable regulations for the Department of Transportation in 49CFR Parts 170-189. 49CFR173.441(a) requires that each package of radioactive materials offered for transport shall be designed and prepared for shipment so that, under conditions normally incident to transportation, the radiation level does not exceed 200 millirem per hour at any point on the external surface of the package.

Contrary to the above, on May 15, 1987, two packages (containing a shearing machine, hydraulic equipment/hoses to operate the machine, and a support platform) were delivered to a carrier for transport (Shipment No. 1 WS-0697) to Brunswick Steam Electric Plant and were not adequately prepared for shipment as evidenced by the fact that upon receipt of these packages at Brunswick on May 16, 1987, the external radiation levels at a point on the surface of each package were measured to be 1,500 and 1,800 millirem per hour, respectively.

RESPONSE TO VIOLATION 1

Niagara Mohawk admits to the violation as stated. Niagara Mohawk has investigated the circumstances surrounding the May 15, 1987 radioactive material shipment and attributes this violation to the following:

1. Lack of radiation protection management supervision and/or direction during the unloading, loading, and shipping process.
2. Inadequate procedure direction for surveying, packaging, and shipping the control rod blade shearer equipment.

Corrective measures taken, or that will be taken, to preclude the recurrence of this incident are as follows:

1. The open position of Technical Specialist-Radiation Protection was filled on 6/1/87 with a person experienced in radioactive material shipments and procedure development.
2. Provide inspection of loaded radioactive material packages by Radiation Protection supervision and/or Radwaste Supervision.
3. A hot particle awareness program is being developed for incorporation into the General Employee Training Program.
4. A memorandum was issued to Radiation Protection Technicians to require that, for all activities involving the handling of components removed from the spent fuel pool, plastic protective clothing shall be required for the protection against hot particle contamination and its associated exposure.
5. A frisking station shall be maintained operational for the refuel floor whenever spent fuel pool components are being handled.



6. Site Radiation Protection Procedures and/or Materials Management Procedures are being revised to include more specific direction regarding:
 - a. Notification to Radiation Protection to survey radioactive material packages on receipt.
 - b. Performance of surveys of packages containing radioactive material that are received at Nine Mile Point nuclear stations.
 - c. Specification of additional requirements for non-waste radioactive material shipments from Nine Mile Point.
 - d. Inclusion of the requirements issued to technicians, by memorandum, regarding hot particle control and monitoring.
 - e. The general requirements for loading packages have been revised to provide:
 - i. Lining inside of packages with plastic.
 - ii. Wrapping individual items with plastic to contain contamination and hot particles.
7. All Fuel Handling Procedures will be reviewed prior to their next use. The appropriate procedures will be revised to incorporate additional guidelines for:
 - a. Hydrolazing equipment removed from the spent fuel pool.
 - b. Packaging of equipment for shipment.
 - c. Exercising care near the cutting or shearing mechanisms.

All procedure changes will be completed by September 30, 1987 and training on these changes will be completed by October 31, 1987, except for the Fuel Handling Procedures changes for equipment that is not being used in the immediate future.

VIOLATION II

10CFR Section 71.5 prohibits delivery of licensed material to a carrier for transport unless the licensee complies with the applicable regulations of the Department of Transportation in 49CFR Parts 170-189. 49CFR172.203(d)(i) requires that the name of each radionuclide be included in the shipping papers for any shipment. 49CFR172.203(d)(iii) requires that the activity contained in each package be included in the shipping papers. 49CFR172.204(a)(1) requires that the shipment should be accompanied by a certification by the shipper that the radioactive materials are properly described.



Contrary to the above, on May 15, 1987, two packages were delivered to a carrier for transport to the Brunswick Steam Electric Plant, and the shipping papers did not identify the radionuclide Iron-55 nor its activity, and as a result, the accompanying shipper's certification that the materials were properly described was in error.

RESPONSE TO VIOLATION II

Niagara Mohawk admits to the violation as stated. Niagara Mohawk has investigated the circumstances surrounding the May 15, 1987 radioactive material shipment and attributes the violation to the following:

1. Insufficient procedural guidance for identification on shipping papers of radionuclides constituting more than one percent of the radioactive shipment's total activity for non-waste shipments potentially containing pure beta emitters.

Corrective measures taken, or will be taken, to preclude the recurrence of this violation are as follows:

1. Revision of Radiation Protection Procedures to:
 - a. Provide for the use of scaling factors for applicable radioactive waste and non-waste radioactive material shipments (i.e. laundry shipments, scrap metal shipments, waste sample shipments).
 - b. Provide a specific section and requirements for non-waste radioactive material shipments.
 - c. Incorporate other methods of determining isotopic content and the application of appropriate scaling factors to all shipments.
2. Changes of procedures are being incorporated in continuing training programs for Radiation Protection technicians responsible for radioactive material shipping.

All procedure changes will be completed by September 30, 1987 and training on these changes will be completed by October 31, 1987.

