



Consumers
Power

**POWERING
MICHIGAN'S PROGRESS**

Palisades Nuclear Plant: 27780 Blue Star Memorial Highway, Covert, MI 49043

G B Slade
General Manager

January 27, 1992

Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555

DOCKET 50-255 - LICENSE DPR-20 - PALISADES PLANT - REPLY TO NOTICE OF
VIOLATION 255/91024-02(DRP) - ENVIRONMENTAL PROTECTION PLAN

NRC letter dated December 27, 1991, transmitted routine safety inspection report 50-255/91024(DRP) and a Notice of Violation regarding failure to provide a written evaluation and basis, as required by Appendix B (the Environmental Protection Plan) to the Palisades Operating License, for the determination that a chemical additive to control Zebra mussels could be added to the service water system without involving an unreviewed environmental question. The attachment to this letter provides our reply to that violation.

In correction of a typographical error and with the concurrence of the NRC Senior Resident Inspector, the word "increase" in the phrase "...increase in EPP effectiveness..." in the last paragraph of the violation has been changed to "decrease."

Gerald B Slade
General Manager

CC Administrator, Region III, USNRC
NRC Resident Inspector - Palisades

Attachment

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CONSUMERS POWER COMPANY

To the best of my knowledge, information and belief, the contents of this
submittal are truthful and complete.

By David P. Hoffman
David P Hoffman, Vice President
Nuclear Operations

Sworn and subscribed to before me this 27 day of January 1992.

LeAnn Morse
LeAnn Morse Notary Public
Van Buren County, Michigan
My commission expires

[SEAL]

LEANN MORSE, NOTARY PUBLIC
VAN BUREN COUNTY, STATE OF MICHIGAN
MY COMMISSION EXPIRES 06-06-94

ATTACHMENT

Consumers Power Company
Palisades Plant
Docket 50-255

REPLY TO A NOTICE OF VIOLATION
VIOLATION 255/91024-02

January 27, 1992

2 Pages

REPLY TO NOTICE OF VIOLATION

Violation 255/91024-02 (DRP)

VIOLATION

The Palisades Operating License at paragraph 2.C.(2), requires compliance to the Environmental Protection Plan contained in Appendix B of the license.

Section 3.1 of Appendix B requires a written evaluation which provides the bases for determination that a change, test, or experiment does not involve an unreviewed environmental question nor constitute a decrease in the effectiveness of the Environmental Protection Plan (EPP).

Contrary to the above, the licensee concluded that a chemical additive could be added to the service water system to kill zebra mussels, with no decrease in EPP effectiveness. This conclusion did not include a written evaluation with a basis stating why the additive did not involve an unreviewed environmental question.

REASON FOR THE VIOLATION

As described in LER 91-020, dated December 13, 1991, the violation was caused by a procedural inadequacy. Prior to February 1987, Palisades Administrative Procedure (AP) 4.22, "Nonradiological Environmental Program," required completion, by the Palisades Chemistry Department, of a written evaluation and basis for the assessment of the involvement of an unreviewed environmental question (UEQ). In February 1987, that requirement was improperly deleted from AP 4.22 and the responsibility for determination of involving an UEQ was transferred to the corporate environmental department. The corporate environmental department has expertise in compliance with local, state, and federal environmental laws. The personnel in that department are not trained to be knowledgeable in the plant's nuclear regulatory compliance requirements. Although the projects forwarded for their determination of the involvement of UEQs during the period from February 1987 to December 1991 were evaluated, the corporate environmental department did not perform a written evaluation to document the basis for the evaluation as required by Appendix B to the Palisades Operating License.

CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND THE RESULTS THAT HAVE BEEN ACHIEVED.

1. The processing of Environmental Impact Reviews (which require the determination of the involvement of an UEQ) was suspended until AP 4.22 was revised.
2. AP 4.22 was revised on December 10, 1991 and now includes steps which ensure the UEQ evaluation requirements of Appendix B are met when determining the involvement of an UEQ. AP 4.22 now requires the Palisades Chemistry Department to provide a written evaluation which provides the basis for the determination that the change, test, or experiment does not involve an UEQ.
3. A corrective action document has been initiated which requires the Palisades Chemistry Department to review all UEQ determinations performed between February 1987 and December 1991. This review is scheduled for completion before July 1, 1992.

THE CORRECTIVE STEPS THAT WILL BE TAKEN TO AVOID FURTHER VIOLATIONS.

Although the written basis for determining there is no decrease in the effectiveness of the EPP is not the subject of this violation, AP 4.22 will again be revised to ensure there is a written evaluation which provides the basis for the determination that the effectiveness of the EPP is not decreased.

THE DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Revision of AP 4.22 to ensure the required process of determining the creation of an UEQ was completed on December 10, 1991. Full compliance has been achieved. The revision to AP 4.22 which will ensure the performance of a written evaluation that provides the basis of the determination of no decrease in the effectiveness of the EPP will be completed by February 27, 1992.