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**POWERING  
MICHIGAN'S PROGRESS**

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

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*Plant Safety and Licensing Director*

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

**DOCKET 50-255 - LICENSE DPR-20 - PALISADES PLANT**  
**REPLY TO NOTICE OF VIOLATION - SAMPLING DEFICIENCIES IN RADIOLOGICAL**  
**ENVIRONMENTAL MONITORING PROGRAM**

NRC Inspection Report No. 50-255/95007(DRP) contained a Notice of Violation for a Severity Level IV Violation involving the failure to correct sampling deficiencies in the Radiological Environmental Monitoring Program. Attachment 1 contains our response to the violation.

**SUMMARY OF COMMITMENTS**

This letter contains four new commitments.

1. The deficient air sample techniques used by the contractor will be evaluated to determine the validity of past air sample results.
2. Health Physics Procedure 10.10, "Palisades Radiological Environmental Program Sample Collection and Shipment" will be revised to incorporate clear expectations for air sampling.
3. The Radiological Services Department sample collectors will be trained on the revised sampling procedures.
4. As part of the Radiological Services Department's self assessment program, annual self assessments will be performed on the environmental monitoring program.

  
**Kurt M. Haas**  
Plant Safety and Licensing Director

CC Administrator, Region III, USNRC  
Project Manager, NRR, USNRC  
NRC Resident Inspector - Palisades

Attachment

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**ATTACHMENT 1**

**CONSUMERS POWER COMPANY  
PALISADES PLANT  
DOCKET 50-255**

**REPLY TO NOTICE OF VIOLATION  
SAMPLING DEFICIENCIES IN  
RADIOLOGICAL ENVIRONMENTAL MONITORING PROGRAM**

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**NRC VIOLATION**

*During an NRC inspection conducted from April 13 through May 27, 1995, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:*

*Technical Specification 6.8.4.b and 6.5.2.4.2.j respectively require a program to monitor the radiation and radionuclides of the Palisades Nuclear Plant and audits of the radiological environmental monitoring program. 10 CFR 50 Appendix B Criterion XVI requires that identified deficiencies be promptly identified and corrected.*

*Contrary to the above, sampling deficiencies in the radiological environmental monitoring program remained uncorrected after being identified by the Nuclear Performance Assessment Department in October 1991 and October 1992.*

*This is a Severity Level IV violation. (Supplement IV)*

**CONSUMERS POWER COMPANY RESPONSE**

Background

Plant review of the event confirmed that past Nuclear Performance Assessment Department (NPAD) audits as far back as 1990 had identified similar problems with inadequate sampling techniques. Following the 1990 NPAD audit, NPAD recommended replacing the local sampling contractor by performing the sampling in-house. Discussions with four Radiological Environmental Monitoring Program (REMP) supervisors indicated that they all had discussed proper sampling techniques with the contractor. Three of the past REMP supervisors stated that they had recommended the replacement of the local sampling contractor.

Recommendations to terminate the local sampling contractor were not approved by plant management due to factors other than job performance. These other factors included concerns with community relations coupled with a desire to maintain local residents employed at the plant. The local sampling contractor was a local community leader and had held this and similar jobs for many years with the plant. The management decisions to retain the same contractor to obtain the samples was based on the thought that, once properly trained, the local sampling contractor could meet the sampling expectations.

However, NPAD audits in 1991 and 1992 continued to show various problems with the way that samples were taken. As a follow-up to these audits, the contractor received training aimed at improving performance for the issues identified during the audits.

NPAD audits from late 1993 found no deficiencies with the sampling program, which may have given plant management the feedback that the contractor sampling training goals had been met. However, investigations completed as a result of the identification of the recent performance issues determined that a relative of the normal local sampling contractor, with the same initials as the normal contractor, was actually observed taking the samples during the 1993 audit. Based on the most recent occurrences, it is evident that observed improvement in performance was short-lived and was not attributable to the local sample collector normally performing the work.

#### Reason for the Violation

The reason for the violation was a plant management decision to correct the sampling performance deficiencies by retraining and surveillance of the local sampling contractor, rather than by replacing the contractor. A contributing factor was also a failure to identify that the 1993 audit findings did not represent a program improvement based on who was actually performing the sampling.

#### Corrective Steps Taken and Results Achieved

The air sampling portion of the REMP program is now being completed by the plant Radiological Services Department. REMP program supervisors, as part of their supervision responsibilities, will be monitoring the field sampling activities. The balance of the environmental sampling program was looked at and no other problems were identified with the sampling service.

Based on discussions with individuals involved with administering contractors and contracts for the plant, this has been determined to be an isolated event.

The deficient air sampling techniques used by the local sampling contractor will be evaluated to determine the validity of past air sample results.

As part of the Radiological Services Department's self-assessment program, annual self-assessments will be performed on the environmental monitoring program.

#### Corrective Steps Taken to Avoid Further Violations

Health Physics Procedure 10.10, "Palisades Radiological Environmental Program Sample Collection and Shipment," will be revised to clarify expectations for air sampling.

The Radiological Services Department sample collectors will be trained on the revised sampling procedures.

#### Date When Full Compliance Will Be Achieved

Full compliance has been achieved with reassignment of the air sampling program to the Radiological Services Department.