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Writer's Direct Dial Number:

July 20, 1981

Mr. Thomas T. Martin
Division of Engineering and Technical Inspection
U.S. Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, PA 19406

Dear Mr. Martin:

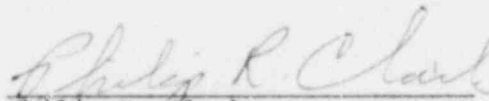
Subject: Oyster Creek Nuclear Generating Station
Docket No. 50-219
IE Inspection Report 81-04 "Notice of Violation"

In accordance with 10 CFR 2.201, Enclosure 1 presents our response to the Notice of Violation involving the removal of lumber from a contamination control point without the performance of smear surveys prior to removal. Please note that this lumber was surveyed with a portable frisker prior to removal which indicated that removal was warranted; however, as stated in the Notice of Violation, a temporary procedure change was not initiated to allow this.

While JCP&L accepts the Notice of Violation as "correct as stated", certain other portions of the inspection report are not in agreement with our understanding of the inspection results. Enclosure 2 presents a discussion of these areas of disagreement based on what we perceived as occurring during the inspection and subsequent exit interview as opposed to what appears in the inspection report. Additionally, our concerns were also discussed with Mr. P. Knapp, Mr. R. Nimitz, and Mr. J. Joyner by telecon on July 9, 1981.

Should you have any additional questions concerning this response, please contact Mr. Michael Laggart at (609) 693-6932.

Very truly yours,


Philip R. Clark
Vice President - Nuclear
Jersey Central Power & Light
Executive Vice President -
GPU Nuclear

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Q PDR

July 20, 1981

Signed and sworn to before me this 20 day of July 1981.

Michael Laggart
Notary Public

MICHAEL LAGGART
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires December 31, 1985

PRC:GWB:lse

attachments

cc: Director
Office of Inspection and Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Director
Office of Inspection and Enforcement
U.S. Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, PA 19406

NRC Resident Inspector
Oyster Creek Nuclear Generating Station
Forked River, NJ 08731

ENCLOSURE 1

The Notice of Violation contained in IE Inspection Report 81-04 states in part:

Technical Specification 6.8, Procedures, states, in part:
"6.8.1. Written procedures shall be established, implemented, and maintained that meet or exceed the requirements of ... Appendix 'A' of the Nuclear Regulatory Commission's Regulatory Guide 1.33-1972 ...". Regulatory Guide 1.33-1972, Section A.4, lists procedure adherence and temporary change method as an activity to be covered by written procedures.

Administrative Procedure No. 107, Procedure Control, Revision 13, developed pursuant to the above, requires in Section 5.4.2 that procedure changes which cannot be delayed for normal review and approval may be made as "Temporary Changes" provided they do not change the intent of the original procedure and are approved by two (2) members of the supervisory staff, one of which must be a Group Shift Supervisor or SRO Licensed Group Operating Supervisor, and the other member must be responsible in the area or category covered by the procedure.

Radiation Protection Procedure 915.4, Contamination Control, Revision 0, requires in Section 5.8 that objects brought out to the contamination control point for release be surveyed for smearable and fixed contamination.

Contrary to the above, on March 3, 1981, a contractor radiation protection supervisor authorized the removal of lumber from a contamination control point without the performance of smearable contamination checks prior to the removal and without making a temporary change to Procedure 915.4. The Supervisor was unaware of the procedure change requirements.

This is a Severity Level V Violation (Supplement IV).

JCP&L has determined that the Notice of Violation is correct as stated. The following presents our response to the violation indicating:

- (1) the corrective steps which have been taken and the results achieved;
- (2) corrective steps which will be taken to avoid further violations;
- and (3) the date when full compliance will be achieved.

1. Corrective steps which have been taken and results achieved.

Upon identification of the failure to perform smearable contamination surveys on the lumber removed from the contaminated area, the lumber was resurveyed and found acceptable for release on March 3, 1981.

Additionally, on March 4, 1981, a temporary procedure change was implemented to allow release of certain items from contaminated areas based on direct frisking with portable instruments without the need for smear surveys. All Radiological Control Field Technicians were instructed on March 5, 1981, as to the new requirements delineated by the temporary procedure change which was subsequently approved by the Plant Operations Review Committee on April 2, 1981, and issued as a permanent change on April 22, 1981.

The actions above resulted in confirmation that the material removed from the contaminated area was free of adverse contamination and a procedure revision to prevent recurrence of this non-compliance was initiated.

2. Corrective steps which will be taken to avoid future violations.

With regard to the failure to initiate a temporary procedure change, training was conducted during February 1981 pertaining to Procedure 107 and the actions required to perform work not authorized by the procedure (i.e., initiate temporary procedure change). In order to reinforce this training, a directive was issued on July 17, 1981 to all Radiological Control personnel emphasizing the need for strict adherence to all procedures and that deviations must be supported with a temporary procedure change per the requirements of Procedure 107.

3. Date when full compliance will be achieved.

Full compliance with Technical Specification 5.8 Procedures in this regard was achieved on March 3, 1981. It is expected that the actions taken above will preclude a recurrence of this situation in the future.

ENCLOSURE 2

Upon reviewing IE Inspection Report 81-04 dated June 24, 1981, it became apparent that there was some inconsistency between the written report and our understanding of the inspection results based on the exit interview and other discussions during the course of the inspection. Consequently, on July 9, 1981, we contacted Mr. P. Knapp, Mr. R. Nimitz, and Mr. J. Joyner by telecon in order to discuss our concerns. During this discussion, it was agreed that in our response to the Notice of Violation we would formally specify the areas of concern with the inspection report indicating our perception of the inconsistencies. The following discussion itemizes those areas which we feel do not accurately reflect the inspection results.

1. Report Section 3, Page 2

The licensee is redesigning and rebuilding the control rod drive rebuild area (75 ft. elevation reactor) to provide operator control and confinement of the control rod drive rebuild work. Included in this work is the installation of glove box hoods to be utilized for airborne radioactivity control during the control rod rebuild work. Each hood will be connected to a 1250 CFM ventilation system.

Clarification:

While this section is essentially correct as stated, we did not specify that glove box hoods would be utilized nor did we specify a 1250 CFM ventilation connection. Our intent is to provide containment hoods connected to a ventilation system; however, since this modification is still in the design stage it is not possible to specify at this time the type of hoods nor the ventilation flow rate.

2. Report Section 3, Page 3

The licensee is currently reviewing the supply of radiation survey instruments and airborne radioactivity sampling equipment at the facility to ensure adequate instrumentation will be available for the upcoming outage. Due to a backlog of instruments to be repaired and calibrated at the facility, the licensee plans to ship these to the Three Mile Island calibration facility to eliminate the backlog.

Clarification:

The first sentence of this section is correct as stated; however, the planned resolution is one of several alternatives that we proposed to the inspector. Subsequently, it was decided to acquire additional technicians to perform this work in lieu of the other options (i.e., send to TMI).

3. Report Section 3, Page 3

The licensee is currently performing extensive clean-up of the facility in preparation for the upcoming outage. The clean-up is being performed to eliminate and maintain clean any previous contaminated areas, and to maintain the facility in a clean and easily accessible condition.

Clarification:

Strict interpretation of this statement infers that all contaminated areas would be decontaminated. This is impractical from both an operational and ALARA viewpoint. Our intent was to decontaminate as much of the area as feasible and to make every effort to maintain the area in the cleanest possible condition recognizing operational considerations and ALARA goals.

4. Report Section 3, Page 3

The licensee has constructed shielded frisking booths on each elevation of the Reactor Building for personnel frisking purposes. The licensee will place additional booths, such as at the drywell entrances and exits, as needed during the outage.

Clarification:

Presently, as well as at the time of the inspection, there is no frisking booth on the 75' elevation of the Reactor Building. Although, a frisking booth will be provided at this elevation in the future.

5. Report Section 5, Page 6

Upon inspector identification of this item to the licensee's Radiological Controls Manager, the release of the lumber was immediately halted. Since none of the lumber had yet left the site, the lumber was re-checked to ensure it met Procedure No. 915.4 requirements. In addition, because of the Group Radiation Protection Supervisor's lack of knowledge regarding procedure changes, the licensee's Radiological Controls Manager indicated a directive would be issued by March 11, 1981 to the entire Radiological Controls Department not to change any procedures unless the change was performed in accordance with Procedure No. 107. The Radiological Controls Manager indicated training sessions would be held to instruct the Department in Procedure No. 107 requirements (50-219/81-04-03).

Clarification:

We do not agree that a commitment was made to issue a directive by the March 11, 1981, date. During our telecon with the NRC inspection personnel, it was agreed that this item was not addressed in the exit interview; however, the inspector stated that he had obtained this commitment during the course of his inspection.

Clarification: (Continued)

While we do not disagree with the stated action, see Attachment 1, we do not believe we committed to the date specified. In the future, we will make every effort to ensure that all items of this nature are specifically discussed at the exit interview and all parties are in agreement with the resolution decided upon. As discussed with the NRC inspection personnel, we too are deeply concerned that this type of misunderstanding could occur.

6. Report Section 6b, Page 9

As a result of the above, the licensee's Radiological Controls Manager will require all field radiological control technicians involved with use of respiratory protective equipment to review Procedure 915.5, "Respiratory Protection" to ensure they are thoroughly familiar with the requirements for use of supplied air. The technician review of this procedure is to be completed by March 12, 1981. Documentation of this procedure review will be available for NRC review (50-219/81-04-06).

Clarification:

Again, while we take no issue with the action stipulated, we do not believe we agreed to a commitment date of March 12, 1981 for completion of this action. As with Item 5, this commitment was not discussed at the exit interview. The specified action was accomplished on March 12, 1981, and the appropriate documentation is available. Additional training was also given on June 12, 1981, which included personnel from the Operations and Maintenance Departments.

7. Report Section 7b, Page 11

The inspector could not complete the entire review of the procedures since, as indicated above, the licensee was revising current procedures and was issuing additional procedures to fully implement his Radioactive Material Management Program. The licensee was utilizing a contractor to provide additional review of radioactive waste procedures. Licensee representatives indicated the procedures were to be in place within approximately two weeks.

Clarification:

This statement is incorrect in that a contractor is not providing the indicated review. This review is being accomplished by in-house personnel.

8. Report Section 7d, Page 12

During the above reviews, the inspector noted the licensee to be estimating the total weight of dry compacted material for the purposes of determining compliance with the LSA shipping requirements (i.e., millicuries/gm). The inspector discussed this matter with the licensee's Radioactive Waste Shipping Supervisor and determined that the licensee had recently obtained a new scale for weighing the waste and was reviewing the need to construct a weighing area.

The licensee is, in the interim, utilizing conservative weight estimates to ensure compliance with applicable regulatory requirements. The licensee evaluated the weight limits with respect to the LSA limits and determined that the limits would not be exceeded. The inspector indicated this area would be reviewed during a subsequent inspection (50-219/80-04-08).

Clarification:

Although a scale was received, it was not acceptable for this purpose and a new scale has been ordered. All other aspects of this statement are correct as stated.

9. Report Section 8, Page 16

The licensee's Radiological Controls Manager indicated he would take action to reduce the number of extended RWPs in use. This action is to include a directive which will be issued to the Radiological Controls Department to limit the use of extended RWPs and to require the Radiological Field Control Manager's approval of any new extended RWPs. A procedure change to implement the above is also to be provided. This action is to be completed by March 11, 1981. The licensee is to reinstruct the technicians in the necessity to maintain the survey status board up to date (50-219/81-04-11).

Clarification:

This statement is incorrect in that our commitment was to issue a directive, not a procedure change. This action was accomplished. As a result of the inspection report, we initiated a temporary procedure change in accordance with the objective stated above. This was accomplished on July 15, 1981, and is currently being reviewed by the Plant Operations Review Committee for permanent change approval.

In summary, it is unfortunate that misunderstandings of this nature have occurred. We are particularly concerned that a misconception of specific commitments (Items 5, 6, and 9) for specified dates has resulted. In our conversations with the NRC inspection personnel, all parties were concerned that somewhere inaccurate information developed. Please be advised that it is our company policy that all employees cooperate fully with NRC inspection personnel in providing accurate information by whatever means necessary (i.e., reference to cognizant personnel, production of appropriate documentation, etc.). In the future, we will make every effort to assure that all inspection findings are appropriately discussed at exit interviews with upper level management in order to prevent miscommunications such as those that occurred during this inspection. To this end, we request that all commitments be discussed during the exit interview so they can be concurred in/approved by upper level management.