

NORTHEAST UTILITIES



THE CONNECTICUT LIGHT AND POWER COMPANY
WESTERN MASSACHUSETTS ELECTRIC COMPANY
HOLYOKE WATER POWER COMPANY
NORTHEAST UTILITIES SERVICE COMPANY
NORTHEAST NUCLEAR ENERGY COMPANY

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P.O. BOX 270
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(203) 665-5000

July 6, 1993

Docket No. 50-423
B14520

Re: 10CFR 2.201, 2.204

Mr. James Lieberman
Director
Office of Enforcement
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Lieberman:

Millstone Nuclear Power Station, Unit No. 3
Response of Northeast Nuclear Energy Company to
Notice of Violation and Demand for Information (EA-92-212)

On June 3, 1993, Northeast Nuclear Energy Company (NNECO) filed its response to the NRC's Notice of Violation (NOV) and Demand for Information, dated May 4, 1993. Since the Company filed its response, there have been two developments that we wish to bring to your attention.

First, while trying to locate certain documents in preparation for an internal meeting on June 16, 1993, Mr. Robert McGuinness, a supervisor in Nuclear Licensing, came across the original completed Significant Safety Hazard (SSH) evaluation for the Rosemount transmitters at Millstone Unit 3 (SSH No. 87-01), a document that the NRC's Office of Investigations (OI) had requested to inspect at one point in its investigation, but the original of which the Company had then been unable to locate. See NOV, at 4. The original completed SSH evaluation was found in the archive section of SSH files for Millstone Unit No. 1, where it had been misfiled. The misfiling apparently occurred following one of the numerous occasions that this SSH evaluation was retrieved and reproduced, because of the considerable scrutiny the Rosemount transmitter issue was receiving. While copies of this document had been available at the time of OI's request to inspect, until now the Company had been unable to locate the original document. (As noted in the letter transmitting the NOV, at 6, the original of the initial technical evaluation for this SSH had also been misplaced, but was discovered on July 31, 1990.) In light of this discovery, we wanted to take this opportunity to assure you that the copies of

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the completed SSH evaluation, which had previously been provided to the NRC, are identical to the original document recently located in every respect. (Indeed, the copy of the document provided to OI pursuant to its initial document request was made from the original.) This provides further support for our position that this document had in no way been modified to conceal safety concerns. See NNECO's Reply to Notice of Violation (Attachment 1 of NNECO's June 3, 1993, submission) at page 56 n.7. The original SSH evaluation is available to the NRC, of course, if you wish to have it inspected.

The second development involves NNECO's response to the NOV. As you might expect, several individuals were involved in the preparation and review of that document. After the response was filed with the NRC, the Company made it widely available to employees. One of the individuals who reviewed the response after it was filed, Mr. Mark Samek, has come forward to say that he personally does not recall any conversations with Mr. McGuinness of the nature alluded to on page 49 of Attachment 1. While this information would simply seem to indicate that Mr. Samek's recollection differs from that of Mr. McGuinness, in order to ensure that our response more precisely reflects the consensus of all those involved, we would like to substitute a revised page 49 (provided as Enclosure 1) in place of the former page 49 (provided as Enclosure 2, for ease of comparison). In the revised page 49, Mr. Samek's name has been deleted from line 10.

Please contact R. M. Kacich at (203) 665-3298 if we can answer any questions with respect to this information.

Very truly yours,

NORTHEAST NUCLEAR ENERGY COMPANY



J. F. Opoka
Executive Vice President

cc: See Page 3

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cc: J. H. Sniezek, Deputy Executive Director for Nuclear
Reactor Regulation, Regional Operations and Research
T. T. Martin, Region I Administrator
Lawrence J. Chandler, Assistant General Counsel for Hearings
and Enforcement
P. D. Swetland, Senior Resident Inspector, Millstone Unit
Nos. 1, 2, and 3

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

Attachments

ENCLOSURE 1

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by the Evaluation Form need to be longer, "the Manager, GFL should be notified."

Contrary to the finding in the NOV, Mr. McGuinness, acting for the Manager, GFL, recalls being informed and aware that the evaluation was taking longer than the 10 day suggested processing time. Mr. McGuinness recalls conversations with one of the employees in the Licensing group specifically assigned to track NEO 2.01 SSH evaluations (John Majewski) on the subject of the status of the evaluation, and likely conversations with Mr. Shaffer on this matter. Mr. McGuinness also recalls that he continued to be informed periodically and was aware of the status of the evaluation until it was finalized on February 11, 1988.

In this context, it is important to note that the internal Company procedure then in effect, NEO 2.01, Rev. 2, did not prescribe the manner of notification to the Manager, GFL. The procedure also did not require formal documentation of such notification. Furthermore, contrary to the NRC's characterization (NRC Letter, at 6), the procedure did not require the licensing organization to grant an extension of time for completing the evaluation. Rather, consistent with suggested guidance of the procedure to ensure effective and thorough review of potential defects, the "notification" was simply intended to

ENCLOSURE 2

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by the Evaluation Form need to be longer, "the Manager, GFL should be notified."

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In this context, it is important to note that the internal Company procedure then in effect, NEO 2.01, Rev. 2, did not prescribe the manner of notification to the Manager, GFL. The procedure also did not require formal documentation of such notification. Furthermore, contrary to the NRC's characterization (NRC Letter, at 6), the procedure did not require the licensing organization to grant an extension of time for completing the evaluation. Rather, consistent with suggested guidance of the procedure to ensure effective and thorough review of potential defects, the "notification" was simply intended to