

DCS

DEC 15 1993

Docket No. 50-423
EA No. 93-237

Mr. John F. Opeka
Executive Vice President-Nuclear
Northeast Nuclear Energy Company
P.O. Box 270
Hartford, Connecticut 06141-0270

Dear Mr. Opeka:

SUBJECT: NRC SPECIAL INSPECTION 50-423/93-24

This refers to the special inspection conducted by Mr. P. Swetland and others of this office on August 28, 1993, through November 8, 1993, at Millstone Unit 3 in Waterford, Connecticut. The inspection was conducted to review the circumstances surrounding your identification of auxiliary building filter (ABF) system design deficiencies, which compromised the plant capability to establish a negative pressure inside the secondary containment following an accident. The preliminary findings were discussed with Mr. F. Dacimo and others of your staff at the conclusion of the inspection. Areas examined during the inspection are described in the enclosed report.

During this inspection, we identified that your administrative process for assuring appropriate use of employee overtime was not strictly adhered to for individuals involved with the ABF system event review task force. A violation of NRC requirements concerning this problem is cited in the enclosed Notice of Violation.

Based on the results of this inspection, two apparent violations were identified and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C (1993). The apparent violations involved the inability of the ABF system to provide the necessary contribution to secondary containment draw down following a postulated accident, and your failure to identify and resolve these problems earlier, as a result of previous similar violations identified in September 1992. No Notice of Violation is presently being issued for these inspection findings. Please be advised that the number or characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

210021

OFFICIAL RECORD COPY

9312220018 931215
PDR ADOCK 05000423
G PDR

IE01
//

Mr. John F. Opeka

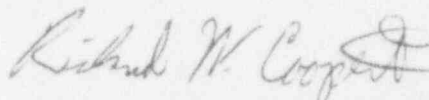
2

An enforcement conference to discuss these apparent violations will be scheduled in the near future. The purposes of this conference are to discuss the apparent violations, their causes and safety significance; to provide you the opportunity to point out any apparent errors in our inspection report; and to provide an opportunity for you to present your proposed corrective actions. In addition, this is an opportunity for you to provide any information concerning your perspective on 1) the severity of the issue, 2) the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) the possible basis for exercising discretion in accordance with Section VII of the Enforcement Policy. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violations is required at this time.

You are required to respond to the enclosed Notice of Violation and should follow the instructions in the enclosed Notice when preparing your response. In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and the enclosed Notice will be placed in the NRC Public Document Room. The responses directed therein are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Public Law 96.511.

We appreciate your cooperation.

Sincerely,



Richard W. Cooper, II, Director
Division of Reactor Projects

Enclosures:

1. Notice of Violation
2. NRC Special Inspection Report 50-423/93-24

DEC 15 1993

Mr. John F. Opeka

3

cc w/encl:

S. E. Scace, Vice President, Millstone Station

D. B. Miller, Senior Vice President, Millstone Station

F. R. Dacimo, Nuclear Unit Director, Unit 3

R. M. Kacich, Director, Nuclear Planning, Licensing and Budgeting

J. M. Solymossy, Director of Nuclear Quality and Assessment Services

Gerald Garfield, Esquire

Nicholas Reynolds, Esquire

K. Abraham, PAO (2)

Public Document Room (PDR)

Local Public Document Room (LPDR)

Nuclear Safety Information Center (NSIC)

NRC Resident Inspector

State of Connecticut SLO

Mr. John F. Opeka

4

bcc w/encl:

- Region I Docket Room (with concurrences)
- DRS/EB SALP Coordinator
- DRSS SALP Coordinator
- J. Rogge, DRP
- L. Doerflein, DRP
- W. Raymond, SRI, Haddam Neck
- P. Swetland, SRI, Millstone

bcc w/encl (VIA E-MAIL)

- J. Stolz, NRR/PD I-4
- W. Dean, OEDO
- D. Jaffe, PM, NRR
- V. Rooney, PM, NRR, Unit 3
- R. Barkley, DRP
- N. Blumberg, DRP
- D. Vito, ORA

bcc w/Report Cover Sheet and Executive Summary only:

- C. Hehl, DRSS
- W. Hodges, DRS
- W. Lanning, DRP
- R. Cooper, DRP
- S. Shankman, DRSS
- L. Bettenhausen, DRS
- D. Holody, EO
- J. Durr, DRS
- J. Joyner, DRSS

RI:DRP
Swetland

12/10/93

RI:DRP
Rogge

12/13/93

RI:DRP
Doerflein

12/13/93

RI:DRP
Cooper

12/ /93