

DEC 7 1982

Docket No. 50-266
Docket No. 50-301

Wisconsin Electric Power Company
ATTN: Mr. Sol Burstein
Executive Vice President
Power Plants
231 W. Michigan Avenue
Milwaukee, WI 53201

Gentlemen:

Thank you for your letters dated October 15 and November 29, 1982, informing us of the steps you have taken to correct the noncompliance which we brought to your attention in Inspection Reports No. 50-266/82-12(DETP) and 50-301/82-12(DETP) forwarded by our letter dated September 15, 1982.

Although your corrective actions appear adequate, we do not agree with your conclusion that the operator's actions were the sole cause of the incident. We agree that the operator did not display expected alertness to plant conditions; however, controls should be such that workers are prevented from unknowingly entering a high radiation area, even if they are not totally alert.

With regard to the specific comments supporting the conclusions contained in your October 15, 1982 letter, we fail to understand the application of items, 1, 3, and 6 to your contention that the operator's actions were the predominate cause of the incident. The fact that the door to Unit 1 containment was locked and the door to Unit 2 containment open was unknown to the operator and therefore could not be expected to have precluded inadvertent entry. Similarly, the knowledge that Unit 1 was at power and that the application of procedure OP-4D to an operating unit was inappropriate is not pertinent, because the operator mistook Unit 1 for Unit 2. Lastly, the operator's communication with the control room before his containment entry appears to have no bearing on the operator's actions since the control room personnel said nothing, of which we are aware, which would have prevented the operator's mistaking Unit 1 for Unit 2.

DMB:
IE06

8212100221 821207
PDR ADOCK 05000266
G PDR

OFFICE	RIII <i>aj</i>	RIII	RIII	RIII	RIII	RIII	RIII
SURNAME	Lovendale/jl	Greger	Miller	Reyes	Morelius	Davis	Kepler
DATE	12/3/82		12/3/82	12/3	12/6/82	12/7	12/7

DEC 7 1982

Items 2 and 5 are applicable to your contention and were considered in arriving at our decision to issue a notice of violation. Item 4 was considered, but in our view, has little bearing on who was at fault for the entry. On the one hand, it demonstrates that the operator committed numerous errors during this incident; on the other hand, it raises questions regarding the adequacy of your training and auditing programs for ensuring procedural adherence.

In summary, we disagree with your conclusion that the evidence clearly demonstrates the sole cause of this incident to be the inattentiveness of an individual. We believe the operator's lack of attentiveness contributed to the incident, but that weaknesses in Wisconsin Electric Power Company's high radiation area controls also contributed.

With regard to your request to withdraw violation 2.c, we have reviewed your request and conclude that the citation is valid. Procedure HP 8.2 states: "Area surveys shall be completed in potentially hazardous areas prior to personnel entry." We recognize that this is a generalized requirement which may be modified in special situations. However, as stated in your letter dated October 15, 1982, the conditions specified in Procedure HP 2.7 which would allow modification of the general survey requirement were not met. Therefore, no modification of the general survey requirement of Procedure HP 8.2 was applicable.

No response to this letter is necessary. Your cooperation with us is appreciated.

Sincerely,

Original signed by
A. Bert Davis

James G. Keppler
Regional Administrator

cc: J. J. Zach, Plant Manager

cc w/ltrs dtd 10/15/82 and
11/29/82:

DMB/Document Control Desk (RIDS)
Resident Inspector, RIII
John J. Duffy, Chief
Boiler Section
Peter Anderson, Wisconsin's
Environmental Decade
Stanley York, Chairman
Public Service Commission

OFFICE ▶

SURNAME ▶

DATE ▶