

MAR 06 1985

Docket No. 50-293
EA 85-18

Boston Edison Company M/C Nuclear
ATTN: Stephen J. Sweeney
President
800 Boylston Street
Boston, MA 02199

Gentlemen:

Subject: Notice of Violation (NRC Inspection Nos. 50-293/84-44 and
50-293/85-02)

On December 18-19, 1984, a special NRC inspection was conducted at the Pilgrim Nuclear Power Station, Plymouth, Massachusetts, to review the circumstances associated with a radiological incident in which a contractor worker received an unplanned occupational radiation exposure. The exposure, which occurred on December 17, 1984 while the individual was performing sludge-lancing operations on a tank containing radioactive sludge, was reported to the NRC on December 18, 1984. Although the exposure was not in excess of the regulatory limits, a substantial potential for such an exposure occurred.

The report detailing the findings of the inspection was sent to Boston Edison Company on January 14, 1985. On January 15-18, 1985, a special NRC inspection was conducted to review, among other things, the implementation of corrective actions taken prior to the resumption of sludge-lancing operations. The report of our findings relative to the second special inspection was sent to Boston Edison Company on February 14, 1985.

On January 31, 1985, we held an enforcement conference with Mr. William Harrington and other members of your staff during which the exposure, associated violations, their causes and your corrective actions were discussed.

Although the exposure occurred primarily because the individual did not adhere to specific procedural requirements, the NRC is concerned about inadequacies of health physics management oversight during the sludge-lancing operation. Specifically, health physics management was unaware for a period of about four days that health physics supervisory personnel: 1) had orally eliminated the procedurally required high radiation area surveillance requirements specified on the sludge-lancing radiation work permit; and 2) had resorted to the use of a tele-dosimetry system to provide high radiation area surveillance without generating necessary controlling procedures.

Problems with health physics management oversight of activities involving exposure to radiation at the Pilgrim Station have been a continuing concern to the NRC over the past year. On April 17, 1984, a \$40,000 civil penalty was issued to the Boston Edison Company for an unplanned exposure which occurred in January 1984. Further, on November 29, 1984, an Order Modifying License was

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issued to Boston Edison Company as a result of another unplanned exposure in August 1984. The Order required an independent review of the Radiation Controls Program and the establishment and implementation of a Radiological Improvement Plan. In both of the previous cases, as well as this recent case, lack of adequate management oversight was evident.

The violations associated with this recent event are classified in the aggregate as a Severity Level III problem in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, 49 FR 8583 (March 8, 1984). Civil penalties are considered for Severity Level III problems. However, this recent event occurred 18 days after the issuance of the Order Modifying License mentioned above, and is another example of the problems previously identified. Therefore, since the primary cause of this incident at Pilgrim; namely, lack of adequate health physics management oversight, are expected to be corrected by actions taken in response to the Order Modifying License, we have exercised our discretion under the enforcement policy and have decided not to propose a civil penalty in this case. We emphasize, however, that similar violations of this type in the future may result in additional enforcement action.

You are required to respond to the Notice and you should follow the instructions specified therein when preparing your response. Your written reply to this letter and the enclosures and the results of future inspections will be considered in determining whether future enforcement action is appropriate.

In accordance with Section 2.790 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget, otherwise required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,

Original signed by
Thomas E. Murley
Thomas E. Murley
Regional Administrator

Enclosure:
Notice of Violation

cc w/encl:
A. V. Morisi, Manager, Nuclear Management Services Department
C. J. Mathis, Station Manager

Boston Edison Company

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Joanne Shotwell, Assistant Attorney General
Paul Levy, Chairman, Department of Public Utilities
W. J. Nolan, Chairman, Plymouth Board of Selectmen
Plymouth Civil Defense Director
Senator Edward P. Kirby
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
Commonwealth of Massachusetts (2)

bcc w/encl:

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