

DCS

March 28, 1988

Docket No. 50-322
License No. NPF-36
EA 87-173

Long Island Lighting Company
ATTN: Mr. John D. Leonard, Jr.
Vice President - Nuclear
P. O. Box 618
Shoreham Nuclear Power Station
Wading River, New York 11792

Gentlemen:

Subject: NOTICE OF VIOLATION
(NRC Inspection Report No. 50-322/86-03; and NRC OI Investigation Reports Nos. 1-86-003 and 1-86-008)

This refers to the NRC inspection conducted on January 27 - February 14, 1986, and two subsequent investigations conducted by the NRC Office of Investigation (OI) in response to an allegation received by the NRC concerning deficiencies in the radiochemistry department at Shoreham. During the inspection and investigations, five violations of NRC requirements were identified. The inspection report was sent to you on March 14, 1986. The synopsis for each OI Report is enclosed.

Three of the violations were identified during the inspection and included two significant deficiencies in the training and qualification of radiochemistry personnel, as well as the failure to maintain control charts for results of control standards for chloride analysis. These violations were discussed with you and members of your staff at an enforcement conference conducted in the Region I office on March 20, 1986. At that conference, you also discussed the underlying causes of the violations as well as your corrective actions. Two other violations, which were not discussed at the enforcement conference but were subsequently identified during the two OI investigations, involved two examples of falsification of records, in one instance by a former radiochemistry foreman, and in another instance by a former nuclear chemistry technician at the direction of another former radiochemistry foreman.

The violations, which are described in the enclosed Notice of Violation, apparently were caused by a lack of management involvement in monitoring implementation of the radiochemistry program. Although the program for training and qualifying personnel in the radiochemistry department appeared adequate, it was not properly implemented. Furthermore, even though your Quality Assurance Department identified such deficiencies in the program during an audit conducted in May/June 1985, management was not responsive to these findings and little, if any, action was taken to correct these deficiencies until after the NRC inspection was initiated. This failure to respond to internally identified audit findings is of significant concern to the NRC.

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PROP EA SHOREHAM - 0005.0.0
03/25/88

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987), the violations described in the enclosed Notice have been classified in the aggregate at a Severity Level III problem, to focus on the underlying concerns, namely, a breakdown in management control of the radiochemistry department, in particular, the training and qualification of radiochemistry personnel, and a failure to be responsive to these findings once identified by the Quality Assurance Department. A civil penalty is normally considered for a Severity Level III violation or problem. However, after consultation with the Director, Office of Enforcement and the Deputy Executive Director for Regional Operations, I have decided that a civil penalty will not be proposed in this case because (1) your prior enforcement history in this area has been good, as evidenced by a Category I rating during the two SALP periods prior to the inspection; and (2) extensive corrective actions were taken once management was informed of these concerns by the NRC.

Nonetheless, we emphasize that any similar deficiencies in training programs at Shoreham, any similar failures to respond to QA findings, or any similar incidents involving falsification of records, may result in more significant enforcement actions, including civil penalties and/or Orders.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence, including actions taken to ensure that (1) deficiencies identified at your facility, including those identified by the Quality Assurance Department, are promptly corrected, and (2) your staff, as well as the staff of any contractors you employ, are aware that falsification of records is a serious offense that cannot and will not be tolerated. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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 as required by the Paperwork Reduction Act of 1980, PL No. 96-511.

Sincerely,

Original Signed By
WILLIAM T. RUSSELL
William T. Russell
Regional Administrator

Enclosures:

1. Notice of Violation
2. OI Synopsis (Report 1-86-003)
3. OI Synopsis (Report 1-86-008)

cc w/encls:

W. Steiger, Plant Manager
C. Daverio, Manager, Nuclear Operations Support
E. Youngling, Manager, Nuclear Engineering
J. Futter, General Counsel
J. Notaro, Manager, QA Department
Director, Power Division
Shoreham Hearing Service List
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
State of New York

bcc w/encl:
 Region I Docket room (with concurrences)
 Management Assistant, DRMA (w/o encl)
 DRP Section Chief
 Robert J. Bores, DRSS
 SECY
 J. Taylor, DEDO
 J. Lieberman, OE
 W. Russell, RI
 T. Murley, NRR
 D. Holody, RI
 S. Sohinki, OGC
 T. Martin, DEDRO
 Enforcement Directors RII-RIII
 Enforcement Officers RIV-RV
 F. Ingram, PA
 J. Bradburne, CA
 E. Jordan, AEOD
 B. Hayes, OI
 S. Connelly, OIA
 D. Nussbaumer, SLITP
 OE Files (3 copies + 1tr hd)
 EDO Rdg File
 DCS
 R. Capra, NRR

DM
 RI:ES
 Holody
 8/28/87

RRB/for
 RI:DRSS
 Pasciak
 8/31/87

RRB
 RI:DRSG
 Bellamy
 8/31/87

RRB/for
 RI:DRSS
 Martin
 8/31/87

RI:DRP *W*
~~Wiggins~~ Cowgill
 8/1/87

RI:DRP *See memo for cont.*
 Kane
 8/ /87

ONG no equal objection
 Putierrez
 9/1/87

RRB
 RI:RA
 Allan
 9/1/87

RI:RA *W*
 Russell
 8/25/88

OGC
 Goldberg
 8/ /87

HDQ:OE
 Lieberman
 9/ /87

HDQ:EDO
 Taylor
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 08/29/87

Rec'd by phone from OE 3/25

C. White, OI changed release of synopsis 3/15